

Pr. 1.

Nelsen trial

Trial against Joyce -

"THE TIMES"

TUESDAY SEPT. 18 1945

## CASE OPENED AGAINST BELSEN GUARDS

### PROSECUTION'S TALE OF HORROR

#### APPLICATION FOR SEPARATE TRIAL REFUSED

LÜNEBURG, Sept. 17.—Josef Kramer, commandant of the Belsen prison camp, and 47 camp guards appeared before a British military court here to-day on charges of causing death and suffering to inmates of the Belsen camp and the camp at Auschwitz, Poland.

The following are the names of the other accused persons:—

Dr. Fritz Klein; Peter Weingartner; George Kraft; Hoessler, alias Hessler, alias Essler; Juana Bormann; Elizabeth Volkenrath; Herta Ehlert; Irma Grese; Ilse Lothe; Hilde Lobauer; Josef Klippel; Nikolas Jenner, alias Jonner; Oscar Schmedidzt, alias Schmitz; Paul Steinmetz; Karl Flaazich, alias Franzich; Ladislav Gura; Fritz Mathes; Otto Calessen, alias Kulesa; Medislaw Burgruf; Karl Egersdorf; Anchor Pinchen; Walter Otto; Walter Melcher; Franz Stofel; Heinrich Schreier; Wilhelm Dor; Eric Barsch, alias Basch; Erick Zoddell; Ignatz Schlomovitz; Vladislav Ostrowski, alias Ostrowski; Antoni Aurdziej; Ilse Forster; Ida Forster; Klara Opitz; Charlotte Klein; Hertz Bothe; Frieda Walter; Irene Haschke; Gertrude Fiest; Gertrude Sauer; Hilde Lisiewicz; Joanne Roth; Anna Hempel; Hildegard Hahnel; Helena Kopper; Anton Polanski; and Stanislaw Starowska.

All the accused are defended by British officers except Erick Zoddell, an S.S. guard, who has elected to be defended by a German lawyer.

#### DEFENCE SUBMISSIONS

Major Winwood, who is defending Kramer and some of the others, submitted on behalf of all the defending officers that the charges disclosed no offence. He also made an application for further assistance, saying that he had been told that expenses could not be allowed for obtaining certain books from England and for the appearance of two experts on international law, one British and one Belgian.

Major-General H. P. M. Berney-Flicklin, the president of the court, said that he would not stop the proceedings on these objections, but counsel would have an opportunity of raising their objections again.

The defending officers also asked the help of the court in obtaining the attendance of certain witnesses for the defence, for whom application had been made and who were not yet available. Some of these were captured SS men, while another was stated to be essential to the case of a prisoner who wanted to establish an alibi. The Judge Advocate-General suggested that these matters should be taken up with the prosecution.

Applications for separate trials on behalf of some of the accused were refused. Major Winwood asked for a separate trial for Kramer, as he wished to call certain witnesses.

2,000 were acutely ill and 18,600 required medical treatment. There were 125 new cases daily. In addition to 13,000 corpses found lying there, within the next six weeks, with all the care and attention which could be rushed to their assistance, 13,000 more died.

The causes of death were mainly starvation, thirst, and ill-treatment. Beating to death and shooting and starvation were killing every person in the camp. If a man did not die directly of starvation, he was so weakened that he had no resistance to disease. If he did not die of either, he died through overwork or from the beating he had received. The average life of a man in Block 18 was 12 days from the time of arrival.

Colonel Backhouse said that the ordinary ration in the camp was a cup of weak ersatz coffee in the morning, and a midday meal of some turnip soup with sometimes a little bread. The evening meal did not exist. An English witness was there for about eight or nine days. All the food he received for the first four days amounted to half a litre of soup and no bread, and only half a mugful of water. During the last five days before the liberation he received no food or water. He was made to work 12 hours a day dragging corpses.

#### SMELL AND SQUALOR

"There are no words which can describe this crime to you adequately," the prosecutor declared, raising his voice. "It is proposed to show you a film. I shall invite you to watch the film and watch the degradation to which the human mind can descend. You will see the well-fed condition of the S.S., who were stationed there. You will see people fishing with a can and a piece of string for water in a tank. What you will not see is that the water was foul and that there were bodies in it. You will see the dead, the living, and the dying. What the film cannot give you is the abominable smell and squalor of the place, which stank to high heaven."

Colonel Backhouse said that they were dependent for much information upon statements made by Josef Kramer. About the end of November last year Kramer, who had been in the concentration camp service of the Nazi Party, was called to Berlin, where he was interviewed by the head of the concentration camp service. He was told that Belsen was to become a "convalescent camp for sick persons from other concentration camps" and from farms and factories in the whole of the north-west of Europe. Kramer was commandant of the camp from December 1, and was in sole charge. He was told to report to Berlin if he had any difficulties.

There were no standing orders from Berlin, and the prosecution maintained that the administration of the camp was left to Kramer and he was primarily responsible for everything that had happened in the camp. He was

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Applications for separate trials on behalf of some of the accused were refused. Major Winwood asked for a separate trial for Kramer, as he wished to call certain witnesses whom he could not call if both charges were considered in one trial. This also was refused.

Opposing the applications, Colonel T. N. Backhouse, who is leading for the prosecution, said: "The charges are identical, word for word. The only difference is in the victims. The accused ill-treated the same people at Auschwitz as they ill-treated at Belsen. Of course, at Belsen they found a lot of new people. Some of the accused have said that they realized that conditions were appalling, but their reply is, 'We could not help it.' I would point out that the conditions they started somewhere else were equally appalling."

"The case for the prosecution," Colonel Backhouse also said, "is a definite one, that the people concerned are members of an organization, that they served under a joint leader, that each one of the persons in the dock has taken part in these cruelties. There is ample evidence to justify the court in coming to the overwhelming conclusion that this is a common action. It cannot be a coincidence that at five cook-houses people were shooting out of the window. It cannot be a coincidence that at Auschwitz people went around hitting you on the head with a large stick, and that they did the same thing at Belsen."

**PLEAS OF "NOT GUILTY"**  
Each of the accused on the Belsen charges pleaded "Not Guilty." The voices of some of the women were almost inaudible. The 14 accused named in the second charge, which relates to the Auschwitz atrocities, also pleaded "Not Guilty."

Colonel Backhouse, in opening for the prosecution, said that the actions of the accused at Belsen and Auschwitz were undoubtedly war crimes. The persons interned in these camps were persons who had not pleaded. They were without trial, and were taken because of their religion or their nationality. The treatment of allied nationals in each of these camps was such as to leave no doubt that war crimes had been committed, that murder had been committed, for which those found responsible should be punished as criminals within the jurisdiction of the court.

The persons who suffered, Colonel Backhouse went on, belonged to 10 different nationalities. Britain had accepted responsibility for this trial because it was quite impossible to form a court and carry on a trial for all these 10 nationalities. At Auschwitz there was deliberate killing of thousands of people, and probably of millions. There was quite deliberate extermination of millions in that camp. Each of the accused in the second charge had their share in this joint endeavour—this policy of deliberate extermination. No person had been brought before the court against whom the prosecution would not bring some evidence of personal acts of individual crime, and in many cases of murder.

In the second week of April of this year there arrived at VIII Corps headquarters certain German officers asking for a local truce because, they said, we were about to overrun a camp containing some 60,000 prisoners. They said that typhus and other infectious diseases were so rampant that a truce was necessary if typhus was not to spread out among the armies fighting there.

**CASES OF CANNIBALISM**  
Colonel Backhouse went on to describe the lay-out of the Belsen camp. In the men's compound, he said, there were 12,000 men, and in the women's compound 28,000 women. There was a small crematorium. When the camp was overrun, he said, typhus was rampant in one part of the camp. It was there that there were cases of cannibalism. In Number Two women's hut there were 300 cases of typhus not even segregated from the others. There were 10 people in a space which could have been occupied properly by one. In an ordinary hut there was enough room for 20. There were from 600 to 1,000 crammed in. In the huts the living, the dying, and the dead were all together. Lying about the camp there were no fewer than 13,000 corpses unburied. In the last few days before the British came to the camp 2,000 men had been dragging corpses for 12 hours a day and burying them in large pits. When the British arrived there were still 13,000 dead. The condition of the corpses was something one could not imagine. They were so thin that it was possible for a woman to move them.

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There were no standing orders from Berlin, and the prosecution maintained that the administration of the camp was left to Kramer and he was primarily responsible for everything that happened in the camp. He was assisted in the administration by an administrative officer and a criminal investigation officer, who, Colonel Backhouse regretted to say, were not before the court, and by a doctor and a dentist. The doctor was before the court. Apart from them, the rest of the staff consisted of a guard company commander and warrant officers and N.C.O.s of the S.S.

In Belsen there were two classes of persons exercising authority. One could almost call them masters and prefects. The S.S. men had charge of the kitchen, living huts, and working party roll calls. They were masters. The prefects were appointed from among the internees. In addition to foreign and political internees in the camp there were habitual criminals. They were generally made prefects and very often were as cruel as, or more cruel than the guards.

Reveille was normally at four o'clock in the morning. No one was exempt. The sick and dying had to be dragged out. They were required to stand and very often stood for hours. Anyone who moved was punished by being beaten on the head with a stick and kicked while on the ground, and very often was left dead. Breakfast was followed by another roll call at half past five, when those inmates who were fit to move were divided into working parties. The working hours were from six in the morning to four in the afternoon in winter, and six in the morning to six in the afternoon in summer, with one hour for the midday meal.

**KILLED BY BEATINGS**  
During the night the inmates were locked in their huts. If one were missing, the whole lot was put on parade, perhaps at 2 or 3 in the morning, and might be kept standing there all night. The court would hear of regular and systematic beatings with anything that came to hand. Men and women were regularly killed by beatings. Lately there was an almost complete dearth of food, and there was a complete dearth of water. By that time the internees were beginning to scramble for bits of potato peel and meatless bones. Again and again there were beatings to death and shootings of such persons.

"Finally you will hear that many resorted to cannibalism," Colonel Backhouse said. "They were driven to the length of cutting flesh from dead people and eating it—not one but many people. When people were taken away from the camp, as many as one in 10 had a piece cut from the thigh or some other part of the body."

The only British internee known to be still alive, Druillenc, was arrested in Jersey the day before D Day because his sister had helped a Russian officer to escape. His sister had not returned from Germany. He went to Belsen about April 5. When he arrived there at night he was offered some soup in exchange for any cigarettes or bread he might have brought. He could produce no cigarettes or bread and so got no soup. The first night he was there eight or nine people died in his hut. They could not be taken out until the hut was unlocked at 3.30 in the morning, when every one was called out and assisted out with the usual beatings. They were kept standing at attention until 8 o'clock.

Colonel Backhouse declared that towards the end shooting went on more or less incessantly. "It will be put to you that all this was the result of a breakdown in organization," he said, "that the camps were being overrun and it was impossible to get food owing to the British cutting off transport, that Kramer did everything he could to try to provide food and water for these poor people and to see to their health and well-being."

But in the Wehrmacht camp about a mile up the road, where the food for the Belsen camp came from, was found any amount of food which could have been distributed to these people. There was a fully staffed bakery, stocked with a grain supply sufficient to produce 60,000 loaves a day, which it did immediately afterwards and does to-day with the same staff and the same stock of grain. There were medical supplies, which are not exhausted yet. Much of the stuff was marked 'Hungarian Red Cross' and had been stolen by the S.S. There was nothing lacking to provide food, water, and sanitation had anybody tried to do it at all."

Auschwitz (Oswiecim) camp, where Kramer became commandant of one of the sections, had very much the same routine as Belsen, Colonel Backhouse said, except that there were having large hounds, which they set upon the prisoners and let them tear the prisoners to pieces. This

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There were virtually no latrines at all. There had been some, but the water supply was not working. There had been some pits with a pole across, which were the only provision for men and women, but the internees were too weak to drag themselves to them. There was excreta all over the place, because about 80 per cent. of these people had dysentery. They were locked in their houses at night. It was impossible for them to lie down, and they had to sit jammed across each other. Some of the more enterprising stretched boards across.

Of 12,000 men, 2,242 were acutely ill, more than 7,000 requiring treatment. There were 59 new cases each day. Of the 28,185 women,

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Auschwitz (Oswiecim) camp, where Kramer became commandant of one of the sections, had very much the same routine as Belsen, Colonel Backhouse said, except that there some of the S.S. women amused themselves by having large hounds, which they set upon the prisoners and let them tear the prisoners to pieces. This was done quite cold-bloodedly. The camp authorities had the determination to exterminate all not fit to be active beasts of burden for Germany. Sick persons and pregnant women sent there were never admitted. They went straight into the gas chamber, where they were scientifically murdered. On one occasion 1,400 people were sent there, of whom 1,000 had never been admitted to the camp. Forty-five thousand Jews were taken there, and when the camp was overrun only 60 were left.

The trial was adjourned until to-morrow morning.—*Reuter.*

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"THE TIMES"

TUESDAY SEPT. 18 1945

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## JOYCE'S DENIAL OF TREASON

### ALLEGED AWARD FROM HITLER

#### NATIONALITY QUESTION

The trial of William Joyce ("Lord Haw-Haw") on a charge of high treason was opened before Mr. Justice Tucker at the Central Criminal Court yesterday. It is expected to last three days.

Joyce, who was described as 39 years of age and of no occupation, appeared to be in good health, and was neatly dressed in a navy blue suit with collar and tie to match. On his entrance he walked briskly to the front of the dock and bowed to the Judge, and his voice was clear and firm when he replied "Not Guilty" to all three counts in the indictment. After the swearing-in of the jury and the completion of the other preliminary proceedings, the

of devoting all the loyalty and energy I possess to the country which I love so dearly." The matter was inquired into and, as a result, Joyce was admitted to membership of the London University O.T.C.

#### BRITISH PASSPORT

On July 4, 1933, Joyce applied to the British Foreign Office for a British passport. On his form of application he declared that he was a British subject by birth, having been born in Galway in April, 1906, and not having lost the status of a British subject. Five years later, on September 24, 1938, he applied for a renewal of the passport again declaring himself to be a British subject by birth. The passport was renewed for a further year, and then on August 24, 1939, on the very eve of the war, he applied for a further renewal and again declared himself to be a British subject by birth.

On the strength and faith of that original application and two applications for renewal, a British passport was issued and renewed in 1938 and 1939. That, in the submission of the prosecution, was a vital part of the case. Whether the statement that he was born in Ireland were true or not, or whether the statement that he was a British subject by birth in Ireland or America were true, it was the submission of the Crown that so long as that British passport continued to be valid and so long as it was held by him it placed him, in whatever country he chose to go, in exactly the same position under the protection of the British Crown as would any other British subject holding a British passport properly obtained. It required from him the duty of faithfulness and allegiance to the British Crown. He merely clothed himself with the status

to me no less desirable than before, for, although it seemed probable that with these allies Britain would succeed in defeating Germany, I considered that the price to be paid for this help would be far higher than the price involved in a settlement with Germany. This belief was strengthened from month to month as the power of Russia grew, and during the later stages of the war I became certain that Britain, even though capable of gaining a military triumph over the Germans, would in that event be confronted with a situation far more dangerous and complicated than that which existed in August, 1939. Thus, until the very last moment, I clung to my hope of an Anglo-German understanding, although I could see that the prospects thereof were small.

I know I have been denounced as a traitor, and I resent the accusation, as I conceive myself to have been guilty of no underhand or deceitful act against Britain, although I am also able to understand the resentment that my broadcasts have in many quarters aroused. Whatever opinion may be formed at the present time with regard to my conduct, I submit that the final judgment cannot properly be cast until it is seen whether Britain can win the peace. Finally, I should like to stress the fact that, in coming to Germany and in working for the German radio system, my wife was powerfully influenced by me. She protested to the contrary, but I am sure that if I had not taken this step she would not have taken it either.

That, said the Attorney-General, was really the whole of this case.

"WE ARE ALL BRITISH  
CITIZENS"

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the King's dominions, and in this case it was alleged that the acts complained of were done outside, namely, in the German realm.

With regard to counts one and two he submitted that there was not even *prima facie* evidence to go to the jury that Joyce was or ever had been a British subject. Nationality was a question of status and status must in every case be a question of mixed fact and law.

#### FOUR POINTS

Mr. Slade said his four points were; first, status was a question of mixed fact and law; second, the admissions were pure hearsay; third, they were in themselves contradictory; and fourth, if Joyce was in fact born in Ireland nothing would have been simpler than for some witness for the prosecution to have produced his birth certificate. He therefore submitted that so far as counts one and two were concerned that the admissions which had been made were not *prima facie* evidence of what was the mixed question of fact and law, namely the status of Joyce.

The law involved an investigation of three things: (1) where was the prisoner born; (2) what was his father's nationality at the time of his birth; and (3) what was the father's nationality up to the time that the prisoner came of age, which would be on April 23, 1927. Mr. Justice Tucker intervened to say that at the present moment there was no evidence as to when Joyce was born.

Mr. Slade pointed out that there was the birth certificate put in by the prosecution.

Mr. Justice Tucker said that it was not yet evidence as the birth certificate of the prisoner. It became evidence only when the identification of the person referred to was proved.

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## JOYCE'S DENIAL OF TREASON

### ALLEGED AWARD FROM HITLER

#### NATIONALITY QUESTION

The trial of William Joyce ("Lord Haw-Haw") on a charge of high treason was opened before Mr. Justice Tucker at the Central Criminal Court yesterday. It is expected to last three days.

Joyce, who was described as 39 years of age and of no occupation, appeared to be in good health, and was neatly dressed in a navy blue suit with collar and tie to match. On his entrance he walked briskly to the front of the dock and bowed to the Judge, and his voice was clear and firm when he replied "Not Guilty" to all three counts in the indictment. After the swearing-in of the jury and the completion of the other preliminaries, he was given a seat in the dock and made occasional notes during counsel's opening statement and the subsequent evidence.

The first count alleged that on September 18, 1939, and on other days between that date and May 29, 1945, he being a person owing allegiance to the King, did traitorously adhere to the King's enemies in Germany by broadcasting propaganda. The second charged him with, on September 26, 1940, adhering to the King's enemies by purporting to be naturalized as a subject of Germany; and the third was similar to the first, except that it related to dates only between September 18, 1939, and July 2, 1940.

Counsel for the prosecution are the Attorney-General (Sir Hartley Shawcross, K.C.), Mr. L. A. Byrne, and Mr. Gerald Howard; and for the defence Mr. G. O. Slade, K.C., Mr. Derek Curtis-Bennett, K.C., and Mr. James Burge.

#### CROWDED COURT

The court was crowded and many of the public who had waited in the street for hours were unable to gain admission.

The ATTORNEY-GENERAL recalled that it was exactly six years to that day since Joyce first entered into the employment of the German broadcasting corporation, and continuing, said to the jury: "It would be idle to shut our eyes to the fact that some of us may know, or think we know, something about this case. We may in times past have read about this man in the newspapers. We may have discussed his activities, and indeed his activities were notorious enough. It may be that in

of devoting all the loyalty and energy I possess to the country which I love so dearly."

The matter was inquired into and, as a result, Joyce was admitted to membership of the London University O.T.C.

#### BRITISH PASSPORT

On July 4, 1933, Joyce applied to the British Foreign Office for a British passport. On his form of application he declared that he was a British subject by birth, having been born in Galway in April, 1906, and not having lost the status of a British subject. Five years later, on September 24, 1938, he applied for a renewal of the passport again declaring himself to be a British subject by birth. The passport was renewed for a further year, and then on August 24, 1939, on the very eve of the war, he applied for a further renewal and again declared himself to be a British subject by birth.

On the strength and faith of that original application and two applications for renewal, a British passport was issued and renewed in 1938 and 1939. That, in the submission of the prosecution, was a vital part of the case. Whether the statement that he was born in Ireland were true or not, or whether the statement that he was a British subject by birth in Ireland or America were true, it was the submission of the Crown that so long as that British passport continued to be valid and so long as it was held by him it placed him, in whatever country he chose to go, in exactly the same position under the protection of the British Crown as would any other British subject holding a British passport properly obtained. It required from him the duty of faithfulness and allegiance to the British Crown. He not merely clothed himself with the status of a British subject but, so to speak, enveloped himself in the Union Jack to secure for himself the greatest possible protection.

Within a few days of renewing his passport in 1939, when the war was imminent, and no doubt thinking he was deserting a sinking ship, he left this country for Germany. On September 3 war broke out, and this man who loved this country so dearly lost no time in associating himself with our enemies.

After he was apprehended there was found among his property a document signed by him and called "The German work book," a record which had to be kept of his various employments. It was issued in October, 1939, and it showed that within a fortnight of the outbreak of war he had been engaged by the German broadcasting organization as editor, speaker, and announcer of English news. At the end of September or early October he was heard by somebody in this country familiar with his voice announcing with singular disregard for the facts—because at that time no bomb had been dropped on either place—that Dover and Folkestone had been destroyed. In the work book he was described as a British subject. In 1942 he appeared to be appointed to a superior position of head commentator in the British section.

#### IMPRESSED BY HITLER'S WORK

#### ALLEGED STATEMENT

The Attorney-General recalled how Joyce was arrested by two British officers in a forest in Germany, and said that on him at the time

to me no less desirable than before, for, although it seemed probable that with these allies Britain would succeed in defeating Germany, I considered that the price to be paid for this help would be far higher than the price involved in a settlement with Germany. This belief was strengthened from month to month as the power of Russia grew, and during the later stages of the war I became certain that Britain, even though capable of gaining a military triumph over the Germans, would in that event be confronted with a situation far more dangerous and complicated than that which existed in August, 1939. Thus, until the very last moment, I clung to my hope of an Anglo-German understanding, although I could see that the prospects thereof were small.

I know I have been denounced as a traitor, and I resent the accusation, as I conceive myself to have been guilty of no underhand or deceitful act against Britain, although I am also able to understand the resentment that my broadcasts have in many quarters aroused. Whatever opinion may be formed at the present time with regard to my conduct, I submit that the final judgment cannot properly be cast until it is seen whether Britain can win the peace. Finally, I should like to stress the fact that, in coming to Germany and in working for the German radio system, my wife was powerfully influenced by me. She protested to the contrary, but I am sure that if I had not taken this step she would not have taken it either.

That, said the Attorney-General, was really the whole of this case.

#### "WE ARE ALL BRITISH CITIZENS"

#### QUOTATION FROM LETTER

Miss Gladys Winifred Isaacs, assistant secretary to the University of London military education committee, the first witness for the Crown, produced a letter dated August 3, 1922, written from Brompton Street, Oldham, and signed "William Joyce," asking for a copy of the O.T.C. handbook, and a further letter dated August 9, acknowledging receipt of the handbook and expressing his intention to study for a commission in the regular army. He also stated that he was born in America of British parents.

Cross-examined by Mr. Slade, Miss Isaacs said that she produced what purported to be the original of a letter sent by Joyce's father to the University of London in October, 1922, in which was the statement "with regard to my son William Joyce, he was born in America. I was born in Ireland and his mother was born in England. We are all British and not American citizens."

Mr. SLADE.—You will see that the point that the letter was asked to confirm, that the father was never naturalized an American, was never replied to in the letter?—Yes, it was, if he says, "We are not American citizens."

#### "STATED HE WAS BRITISH"

Mr. Harold Godwin, an assistant passport officer in H.M. Passport Office in the Foreign

the King's dominions, and in this case it was alleged that the acts complained of were done outside, namely, in the German realm.

With regard to counts one and two he submitted that there was not even *prima facie* evidence to go to the jury that Joyce was or ever had been a British subject. Nationality was a question of status and status must in every case be a question of mixed fact and law.

#### FOUR POINTS

Mr. Slade said his four points were: first, status was a question of mixed fact and law; second, the admissions were pure hearsay; third, they were in themselves contradictory; and fourth, if Joyce was in fact born in Ireland nothing would have been simpler than for some witness for the prosecution to have produced his birth certificate. He therefore submitted that so far as counts one and two were concerned that the admissions which had been made were not *prima facie* evidence of what was the mixed question of fact and law, namely the status of Joyce.

The law involved an investigation of three things: (1) where was the prisoner born; (2) what was his father's nationality at the time of his birth; and (3) what was the father's nationality up to the time that the prisoner came of age, which would be on April 23, 1927.

Mr. Justice Tucker intervened to say that at the present moment there was no evidence as to when Joyce was born.

Mr. Slade pointed out that there was the birth certificate put in by the prosecution.

Mr. Justice Tucker said that it was not yet evidence as the birth certificate of the prisoner. It became evidence only when the identification of the person referred to was proved to be the person on the birth certificate. That certificate was put in as part of the general material of the case as a document found with other documents on the prisoner. At the present moment there was no evidence to prove that the prisoner was that person referred to on the birth certificate.

Mr. Slade said that the prosecution must show a *prima facie* case that Joyce was born in this country or a *prima facie* case that his father was a British subject at the time of his birth.

Sir H. Shawcross said that if Mr. Slade's submissions were right it would mean that no person could ever give evidence of his own nationality. So far as they went, every document in the case tended to show that the facts in relation to birth and parentage—if uncontradicted—would lead to a conclusion of British nationality.

#### JUDGE'S RULING

Mr. Justice Tucker said to Mr. Slade:—"I do not propose at the present stage to rule that the onus is upon you, but I am disposed to hold at this stage that there is some evidence which, if uncontradicted, would entitle the jury to come to the conclusion that this man is a British subject. If and when other evidence is before them, it may well be that in balancing the evidence the onus would be on the prosecution to prove, where there is controversy, that this man was a British subject. I think in the case of a man who signs an application for a passport and describes himself as a British citizen it is impossible to say that there is not some evidence in favour of the proposition that he is a British citizen."

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The court was crowded and many of the public who had waited in the street for hours were unable to gain admission.

The ATTORNEY-GENERAL recalled that it was exactly six years to that day since Joyce first entered into the employment of the German broadcasting corporation, and continuing, said to the jury: "It would be idle to shut our eyes to the fact that some of us may know, or think we know, something about this case. We may in times past have read about this man in the newspapers. We may have discussed his activities, and indeed his activities were notorious enough. It may be that in those dark days of 1940, when this country was standing alone against the whole force and might of Germany, some of us may have heard, or thought we heard, his voice on the wireless, attempting, as we thought, to undermine the morale of our people. Perhaps some of us, at that terrible time, formed feelings of dislike and detestation of what he was doing; and no doubt some of us heard later, with satisfaction, that he had been apprehended and was to be brought to trial. If you have had any feelings of that kind I ask you to cast them entirely from your minds. You were sworn to try this man according to law and upon the evidence and the evidence alone."

Whether or not the prisoner's activities did Germany more harm than good was a matter on which I was not necessary to speculate. With pride or shame, I received from Hitler himself the award of the "Cross of War Merit" for his services to Germany during the war."

Dealing with the question of "the duty of allegiance to the British Crown," the Attorney-General said that it was the case for the Crown that whatever Joyce's nationality, whether he were British or not, he had claimed and asserted the rights of British citizenship, he had received the protection accorded by the Crown to British citizens, and he had clothed himself with the full status of a British subject, and in consequence owed the duty of allegiance to the Crown.

After he was apprehended, there was found among his property a birth certificate purporting to show that he had been born in America of a father whose birth was recorded as having taken place in Ireland. Later, in the course of a statement he made, Joyce said he had been born in America in 1906, that his father had been born in Ireland and his mother in England, but that before his birth they had both become naturalized as citizens of the United States. If that were true it would mean that at all times material in this case the prisoner was an American citizen owing no natural allegiance to the British Crown, but still capable, as an alien, of placing himself under the protection of the British Crown and clothing himself with the status of a British subject, and, therefore, taking on himself an obligation to be loyal and faithful to the British Crown.

### "BORN OF BRITISH PARENTS"

#### O.T.C. MEMBERSHIP

In 1922, Joyce was apparently living with his father at Oldham, in Lancashire, and seemed to be a student of London University. In August of that year he wrote a letter to the Officer Commanding the London University O.T.C., which he was desirous of joining.

In the course of the letter, he said: "I must now mention a point which I hope will not give rise to difficulties. I was born in America, but of British parents. I left America

for a commission in the regular army. He also stated that he was born in America of British parents. Cross-examined by Mr. Slade, Miss Isaacs said that she produced what purported to be the original of a letter sent by Joyce's father to the University of London in October, 1922, in which was the statement "with regard to my son William Joyce, he was born in America. I was born in Ireland and his mother was born in England. We are all British and not American citizens."

### IMPRESSED BY HITLER'S WORK ALLEGED STATEMENT

The Attorney-General recalled how Joyce was arrested by two British officers in a forest in Germany, and said that on him at the time was a document describing him as "of German nationality, formerly British." In the course of a statement which he subsequently made he said he became naturalized as a German subject some time in September, 1940. If up to September, 1940, he was a British subject and then became naturalized as a German when Germany was at war with this country, would not this be an act of treason?

Afterwards, having been duly cautioned and warned, he made a statement in which he said "I was born in Brooklyn, U.S.A. on April 24, 1906. My father was born in Ireland and my mother was born in Lancashire. I understand that my father was American by naturalization at the time of my birth, and I believe he lost his American naturalization by failing to renew it. We were generally accounted as British subjects during the war in Ireland and England."

Joyce, the Attorney-General added, then went on to say: "I take this opportunity of making a preliminary statement concerning the motives which led me to go to Germany and broadcast to Britain for the German radio service. I was actuated not by a desire for personal gain, material or otherwise, but solely by political convictions. I was brought up as an extreme Conservative with strong imperialistic ideas, but early in my career, in 1923, I was attracted to Fascism and subsequently to National-Socialism. Between 1923 and 1939 I pursued vigorous political activities in England—at times as a Conservative, but mainly as a Fascist or National-Socialist."

In the period immediately before this war I was profoundly discontented with the policy pursued by the British Government—first, because I thought it would lead to the eventual disruption of the British Empire, and, secondly, because I thought the existing economic system entirely inadequate to the needs of the times. I was very greatly impressed by the constructive work which Hitler had done for Germany and was of the opinion that throughout Europe, as also in Britain, there must come a reform on the lines of National-Socialist doctrine, although I did not suppose that every aspect of National-Socialism as advocated in Germany would be accepted by the British people.

### WAR WOULD BE TRAGEDY

One of my dominant beliefs was that a war between Britain and Germany would be a tragedy, the effects of which Britain and the British Empire would not survive, and I considered that a grossly disproportionate influence was exerted on British policy by the Jews, who had their reasons for hating National-Socialist Germany. When in August, 1939, the final crisis emerged I felt the question of Danzig offered no just cause for world war.

As, by reason of my opinions, I was not conscientiously disposed to fight for Britain against Germany I decided to leave the country since I did not wish to play the part of a conscientious objector, and since I supposed that in Germany I should have an opportunity to express and propagate views, the expression of which would be forbidden in Britain during the time of war. Realizing, however, that at the critical juncture I had decided to come

for a commission in the regular army. He also stated that he was born in America of British parents.

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Mr. SLADE.—You will see that the point that the letter was asked to confirm, that the father was never naturalized an American, was never replied to in the letter?—Yes, it was, if he says, "We are not American citizens."

### "STATED HE WAS BRITISH"

Mr. Harold Godwin, an assistant passport officer in H.M. Passport Office in the Foreign Office, said that an application was received from Joyce for a passport, accompanied by two photographs and a postal order for 15s. In this application in July, 1933, and in an application for a renewal on July 1, 1939, Joyce stated that he was British.

During cross-examination by Mr. SLADE, Godwin was taken ill and was allowed to remain seated while completing his evidence. He agreed that supposing an applicant, prepared to pay the fee for a whole year, asked for a renewal for a month or three months, it would be assured to him for that period.

Detective-inspector Albert Hunt, of the Special Branch of New Scotland Yard, said that he had known Joyce since 1934. He first knew him as a member of the British Union of Fascists and then as a member of the National-Socialist League. He had listened with his voice. He was stationed at Folkestone in September, 1939, and while listening to foreign broadcasts his attention was attracted by the voice of the prisoner which he immediately recognized. In one broadcast Joyce said that Dover and Folkestone had been destroyed when there had been no enemy activity at all in either place.

After he had returned to London he heard Joyce's voice on a number of occasions and had taken shorthand notes of some of his broadcasts. He handed in some of these notes and passages were read by counsel. In one passage Mr. Churchill was referred to as the servant, not of the British people and the British Empire, but of international Jewish finance.

### ENCOUNTER WITH JOYCE

Captain Alexander Lickorish, of the Reconnaissance Regiment, R.A.C., told of his and Lieutenant Perry's encounter with Joyce near the Danish border. Joyce spoke to them in French and then in English. Lieutenant Perry said, "You would not happen to be William Joyce, would you?" and when Joyce went to put his hand in his pocket Lieutenant Perry shot him in the leg. Joyce fell to the ground saying, "My name is Fitz Hansen." Witness then searched the prisoner. He was unarmed and carried two passports.

Captain William James Scarden, of the Intelligence Corps, described how he had seen the prisoner at the hospital at Luneberg on May 31 this year. He put questions to the prisoner and a statement was taken. On a later visit he showed Joyce copies of certain documents, which he now produced before the Court and among which was a copy of a registration of births reported to the Department of Health, the City of New York. In this William Joyce's birth on April 24, 1906, was given and his father's birthplace was shown as Ireland and his mother's England.

Mr. Slade.—You did not find the birth certificate on him, did you?—No.

At the time you were putting questions to him about his nationality did he know it was in your possession? I think he must have known. I do not know.

On what grounds did you think it must be so—did you tell him?—No, I can only assume

person could ever give evidence of his own nationality. So far as they went, every document in the case tended to show that the facts in relation to birth and parentage—if uncontradicted—would lead to a conclusion of British nationality.

### JUDGE'S RULING

Mr. Justice Tucker said to Mr. Slade:—"I do not propose at the present stage to rule that the onus is upon you, but I am disposed to hold at this stage that there is some evidence which, if uncontradicted, would entitle the jury to come to the conclusion that this man is a British subject. If and when other evidence is before them, it may well be that in balancing the evidence the onus would be on the prosecution to prove, where there is controversy, that this man was a British subject. I think in the case of a man who signs an application for a passport and describes himself as a British citizen it is impossible to say that there is not some evidence in favour of the proposition that he is a British citizen."

Mr. SLADE said he accepted the Judge's ruling, and proceeded to open the case for the defence. He was hoping to prove conclusively, he said, that in point of fact the prisoner had never been a British subject at any time throughout his life.

He hoped to be able to prove that the prisoner's father was Michael Francis Joyce, who frequently called himself simply Michael Joyce, and that his mother was Gertrude Emily Joyce, formerly Brooke; that Michael Joyce was born in Ireland in 1868, 1869, or 1870; that the father went to America in about 1888; that while he was in America he decided to become a naturalized American citizen; that on a date in July, 1892, he took the necessary preliminary steps according to American law to making what was called a declaration of intention to become an American citizen and of renouncing his allegiance to Queen Victoria; that on October 25, 1894, he took the final step and became a naturalized American citizen by swearing the necessary oath before the Judge in the Court of the County of Hudson, in New Jersey; that he came over on a trip to this country in 1904 or 1905 and became engaged to Gertrude Emily Brooke, who lived at Shaw, in Lancashire; that they returned to America and were married in New York on May 2, 1905, according to the rites of the Roman Catholic Church; and that William Joyce was the first child of that union.

### SUBJECT OF U.S.A.

William Joyce had always been and remained a subject of the United States. If the chain of evidence he (Mr. Slade) called could be challenged, he might even yet be forced to ask for an adjournment to enable the evidence of John Joyce, the uncle of the prisoner, at present in America, to be given. There was no manner of means by which he could force John Joyce to come and give evidence to this Court, but if he were present the task would have been much easier. He (Mr. Slade) did not anticipate that any adjournment would be necessary, and he thought the defence would be able to establish the points he had mentioned to the entire satisfaction of the jury.

He proposed to produce a sealed and certified copy of the United States naturalization record, which would become evidence automatically under Section 7 of the Evidence Act, 1871. Both Joyce's parents were dead, the mother having died as recently as 1944 and the father in 1941. He was going to call two witnesses to handwriting to identify signatures on various documents, and a witness who knew both Mr. and Mrs. Michael Joyce both in England and America.

Further evidence would prove that, during the last war—namely, in 1917—both Mr. and Mrs. Joyce were forced to register as aliens in this country, and he had served a subpoena on the chief constable of Lancashire to produce the register of aliens for that county. The register showed the nationality of Michael Joyce as American, and of Mrs. Joyce as American by marriage.

Mr. Slade had not completed his statement

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for a commission in the regular army. He also stated that he was born in America of British parents.

Cross-examined by Mr. Slade, Miss Isaacs said that she produced what purported to be the original of a letter sent by Joyce's father to the University of London in October, 1922, in which was the statement "with regard to my son William Joyce, he was born in America. I was born in Ireland and his mother was born in England. We are all British and not American citizens."

Mr. SLADE.—You will see that the point that the letter was asked to confirm, that the father was never naturalized an American, was never replied to in the letter?—Yes, it was, if he says, "We are not American citizens."

"STATED HE WAS BRITISH"

Mr. Harold Godwin, an assistant passport officer in H.M. Passport Office in the Foreign Office, said that an application was received from Joyce for a passport, accompanied by two photographs and a postal order for 15s. In this application in July, 1933, and in an application for a renewal on July 1, 1939, Joyce stated that he was British.

During cross-examination by Mr. SLADE, Godwin was taken ill and was allowed to remain seated while completing his evidence. He agreed that supposing an applicant, prepared to pay the fee for a whole year, asked for a renewal for a month or three months, it would be assured to him for that period.

Detective-inspector Albert Hunt, of the Special Branch of New Scotland Yard, said that he had known Joyce since 1934. He first knew him as a member of the British Union of Fascists and then as a member of the National-Socialist League. He had listened to his speeches by radio and was familiar with his voice. He was stationed at Folkestone in September, 1939, and while listening to foreign broadcasts his attention was attracted by the voice of the prisoner which he immediately recognized. In one broadcast Joyce said that Dover and Folkestone had been destroyed when there had been no enemy activity at all in either place.

After he had returned to London he heard Joyce's voice on a number of occasions and had taken shorthand notes of some of his broadcasts. He handed in some of these notes and passages were read by counsel. In one passage Mr. Churchill was referred to as the servant, not of the British people and the British Empire, but of international Jewish finance.

### ENCOUNTER WITH JOYCE

Captain Alexander Lickorish, of the Reconnaissance Regiment, R.A.C., told of his and Lieutenant Perry's encounter with Joyce near the Danish border. Joyce spoke to them in French and then in English. Lieutenant Perry said, "You would not happen to be William Joyce, would you?" and when Joyce went to put his hand in his pocket Lieutenant Perry shot him in the leg. Joyce fell to the ground saying, "My name is Fritz Hansen." Witness then searched the prisoner. He was unarmed and carried two passports.

Captain William James Scarden, of the Intelligence Corps, described how he had seen the prisoner at the hospital at Luneberg on May 31 this year. He put questions to the prisoner and a statement was taken. On a later visit he showed Joyce copies of certain documents, which he now produced before the Court and among which was a copy of a registration of births reported to the Department of Health, the City of New York. In this William Joyce's birth on April 24, 1906, was given and his father's birthplace was shown as Ireland and his mother's England.

Mr. Slade.—You did not find the birth certificate on him, did you?—No.

At the time you were putting questions to him about his nationality did he know it was in your possession? I think he must have known. I do not know.

On what grounds did you think it must be

submissions were right it would mean that no person could ever give evidence of his own nationality. So far as they went, every document in the case tended to show that the facts in relation to birth and parentage—if uncontradicted—would lead to a conclusion of British nationality.

### JUDGE'S RULING

Mr. Justice Tucker said to Mr. Slade:—"I do not propose at the present stage to rule that the onus is upon you, but I am disposed to hold at this stage that there is some evidence which, if uncontradicted, would entitle the jury to come to the conclusion that this man is a British subject. If and when other evidence is before them, it may well be that in balancing the evidence the onus would be on the prosecution to prove, where there is controversy, that this man was a British subject. I think in the case of a man who signs an application for a passport and describes himself as a British citizen it is impossible to say that there is not some evidence in favour of the proposition that he is a British citizen."

Mr. SLADE said he accepted the Judge's ruling, and proceeded to open the case for the defence. He was hoping to prove conclusively, he said, that in point of fact the prisoner had never been a British subject at any time throughout his life.

He hoped to be able to prove that the prisoner's father was Michael Francis Joyce, who frequently called himself simply Michael Joyce, and that his mother was Gertrude Emily Joyce, formerly Brooke; that Michael Joyce was born in Ireland in 1868, 1869, or 1870; that the father went to America in about 1888; that while he was in America he decided to become a naturalized American citizen; that on a date in July, 1892, he took the necessary preliminary steps according to American law to making what was called a declaration of intention to become an American citizen and of renouncing his allegiance to Queen Victoria; that on October 25, 1894, he took the final step and became a naturalized American citizen by swearing the necessary oath before the Judge in the Court of the County of Hudson, in New Jersey; that he came over on a trip to this country in 1904 or 1905 and became engaged to Gertrude Emily Brooke, who lived at Shaw, in Lancashire; that they returned to America and were married in New York on May 2, 1905, according to the rites of the Roman Catholic Church; and that William Joyce was the first child of that union.

### SUBJECT OF U.S.A.

William Joyce had always been and remained a subject of the United States. If the chain of evidence he (Mr. Slade) called could be challenged, he might even yet be forced to ask for an adjournment to enable the evidence of John Joyce, the uncle of the prisoner, at present in America, to be given. There was no manner of means by which he could force John Joyce to come and give evidence to this Court, but if he were present the task would have been much easier. He (Mr. Slade) did not anticipate that any adjournment would be necessary, and he thought the defence would be able to establish the points he had mentioned to the entire satisfaction of the jury.

He proposed to produce a sealed and certified copy of the United States naturalization record, which would become evidence automatically under Section 7 of the Evidence Act, 1871. Both Joyce's parents were dead, the mother having died as recently as 1944 and the father in 1941. He was going to call two witnesses to handwriting to identify signatures on various documents, and a witness who knew both Mr. and Mrs. Michael Joyce both in England and America.

Further evidence would prove that, during the last war—namely, in 1917—both Mr. and Mrs. Joyce were forced to register as aliens in this country, and he had served a subpoena on the chief constable of Lancashire to produce the register of aliens for that county. The register showed the nationality of Michael Joyce as American, and of Mrs. Joyce as American by marriage.

and never gotten—ha style and home mate Ground at be Richmo damage at it is hoped then the of Fair enough the pleasure on January Guy's, in date on O through no fixtures. G Hospitals in as well as and so at le the break in Hospitals o a-side Tour idea to be will be ma first conside revival of tl draw for w same as th There hav the fortunes no one wo value, say, grudge them ing members appeared in the Midland to be "Co retained mo home and much to ma land forward their success Mary's Hosp Coventry ha fixture list.

The enter Park, special war-time, hav a victory ove four sides. peacetime ma Park, again Richmond-Bl against Nort with a growi Warr, Labor not long ago the well-know combined fif

### RETI

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obligation to be loyal and faithful to the British Crown.

## "BORN OF BRITISH PARENTS"

### O.T.C. MEMBERSHIP

In 1922, Joyce was apparently living with his father at Oldham, in Lancashire, and seemed to be a student of London University. In August of that year he wrote a letter to the Officer Commanding the London University O.T.C., which he was desirous of joining.

In the course of the letter, he said: "I must now mention a point which I hope will not give rise to difficulties. I was born in America, but of British parents. I left America when two years of age, have not returned since, and do not propose to return. I was informed at the Brigade headquarters of the district in which I was stationed in Ireland that I possess the same rights and privileges as I would if a natural British citizen by birth. I can obtain testimonials as to my loyalty to the Crown. I am in no way connected with the U.S.A. against which, as against all other nations, I am prepared to draw the sword in British interests. I have always been desirous

One of my dominant beliefs was that a war between Britain and Germany would be a tragedy, the effects of which Britain and the British Empire would not survive, and I considered that a grossly disproportionate influence was exerted on British policy by the Jews, who had their reasons for hating National-Socialist Germany. When in August, 1939, the final crisis emerged I felt the question of Danzig offered no just cause for world war.

As, by reason of my opinions, I was not conscientiously disposed to fight for Britain against Germany I decided to leave the country since I did not wish to play the part of a conscientious objector, and since I supposed that in Germany I should have an opportunity to express and propagate views, the expression of which would be forbidden in Britain during the time of war. Realizing, however, that at this critical juncture I had declined to serve Britain, I drew the logical conclusion that I should have no moral right to return to the country of my own free will, and that it would be best to apply for German citizenship and make my permanent home in Germany. Nevertheless, it remained my undeviating purpose to attempt, as best I could, to bring about a reconciliation or at least understanding between the two countries.

After Russia and the United States had entered the war such an agreement appeared

impossible. I was, however, desirous of becoming the prisoner at the hospital at Luneberg on May 31 this year. He put questions to the prisoner and a statement was taken. On a later visit he showed Joyce copies of certain documents, which he now produced before the Court and among which was a copy of a registration of births reported to the Department of Health, the City of New York. In this William Joyce's birth on April 24, 1906, was given and his father's birthplace was shown as Ireland and his mother's England.

Mr. Slade.—You did not find the birth certificate on him, did you?—No.

At the time you were putting questions to him about his nationality did he know it was in your possession? I think he must have known. I do not know.

On what grounds did you think it must be so—did you tell him?—No. I can only assume he knew we had it.

You have been identifying various signatures of William Joyce. If the date on the birth certificate is correct, on August 9, 1922, Joyce would have been 16 years old. When was the first occasion you saw him sign his name?—On May 31, 1945.

Then if the birth certificate is correct he would have been almost exactly 39. So that the gap between those two signatures—August 9, 1922, and May 31, 1945—is roughly 22 years. Yet you did not find any difficulty whatever in recognizing the signature of a man of 39 as being the same as that of a boy of 16?—No.

### DOCUMENT SIGNED "A. HITLER"

Mr. Samuel L. Szabo, who translated the documents in the case, said that a German passport with Joyce's photograph in it was made out to Wilhelm Hansen and under the heading "Particular identification marks" appeared "Scar on the right cheek." His birthplace was given as Galway, Ireland, on March 11, 1906. A *Welpass* made out to William Joyce gave his birthplace as New York on April 24, 1906, and his nationality as "German, formerly English." There were a receipt for 200 marks signed "William Joyce" for English propaganda talks and what purported to be a contract signed between William Joyce (Wilhelm Froelich) and *Reichsdruckfunk* to pay Joyce 1,200 marks monthly. A document awarding Joyce the Cross of War Merit and signed "A. Hitler" was also produced.

Chief Inspector Frank Bridges, New Scotland Yard, said he saw Joyce on his arrival in this country under military escort on June 16, and cautioned him that he was going to arrest him and take him to be charged with treason under the Treason Act of 1351. On being charged Joyce said, "I have heard the charge and taken cognizance of it. I shall not add anything to the statement I have made."

### SUBMISSIONS BY THE DEFENCE

#### QUESTION OF STATUS

Mr. G. O. SLADE, opening the case for the defence, said that as a matter of law there was no case to bring to the jury on any of the three counts in the indictment. The three counts were all alike in two respects. Each of them in the statement of the offence alleged that the acts complained of took place in the German realm, and each of them alleged that Joyce was then—at the material dates—a person owing allegiance to the King.

On the first of these there was nothing to distinguish between counts one and three. The prosecution had to establish that Joyce was a British subject, because if he were an alien—apart from count three—he could owe allegiance to the King only so long as he was within

records, which would become evidence automatically under Section 7 of the Evidence Act, 1871. Both Joyce's parents were dead, the mother having died as recently as 1944 and the father in 1941. He was going to call two witnesses to handwriting to identify signatures on various documents, and a witness who knew both Mr. and Mrs. Michael Joyce both in England and America.

Further evidence would prove that, during the last war—namely, in 1917—both Mr. and Mrs. Joyce were forced to register as aliens in this country, and he had served a subpoena on the chief constable of Lancashire to produce the register of aliens for that county. The register showed the nationality of Michael Joyce as American, and of Mrs. Joyce as American by marriage.

Mr. Slade had not completed his address to the jury when the Court adjourned until to-day.

### From THE TIMES of 1845

THURSDAY, SEPTEMBER 18, 1845. Price, with a Supplement, 5d.

PIRACY IN THE ARCHIPELAGO.—The last advices from the East announce that the disorganized state of Greek affairs on shore has extended itself to the high sea, and that the small islands of the Archipelago are infested with piratical craft of every size and description. The neighbourhood of the isles of Scaithos and Scopelo and Cume, a town on the eastern side of the Negropont, are particularly pointed out as dangerous localities. The Greek Government has sent out two cutters to look after the delinquents, but little reliance can be placed on commanders who have no properly established authority to call them to account. The Austrian war-steamer *Volcano* and the French war-steamer *Rubis* are also on the look-out; and, considering the many fruit-laden British merchant vessels from Smyrna navigating the Archipelago at this season on their way to England, it is much to be regretted that a British war-steamer is not also despatched by the Admiral at Malta for their protection.—*Malta Mail*.

Piracy was the oldest Greek export to Western Europe, and the pirates of Cumæ were described by Thucydides in the fifth century B.C. Greece recovered her liberty from the Turks in 1830; the local pirates maintained theirs.

### NO EARLY RETURN TO IMBER

It appears that no immediate hope can be given to the 150 people evacuated from the village of Imber that they will be allowed to return to their old homes before the winter. A letter from the War Office, read at a meeting of Warminster-Westbury Rural District Council yesterday, stated that the War Department was giving the council's request close consideration. It was stated that the Ministry of Health regional architect had visited the area in company with the council sanitary inspectors and a report was prepared. It is understood that the whole of the Imber area is still being used for extensive infantry training and also for long-range firing practice.

Exhibition diving displays will be given by Miss Betty Slade, the English women's diving champion, the Island Ladies' Diving Club, and the Highgate Diving Club on Thursday, at 6.30 p.m., at the Marshall Street Baths, Regent Street, in aid of Westminster Hospital.

dire need of a general meeting over by W. J. interest was in

Moseley, on been able to n dition and arri list. Bedford, ing list of fixt club never ha Richmond an operations at I

Everyone w Barbarians will honoured fixt Day and the Swansea and which helps s South Wales a number of its with Wooller i evidence that strongest sides players like B were promin by 28 points to that Haydn T and employed; be able to joi Swansea's loss.

The Swans have just been to an arrangem authorities wh ground from t Why the Servi Union had to c to be understo to start very n matter of men material. Her merely a few substance and o aged to lend a

### CROSS-COUNTRY

Mr. A. G. elected president Union. Mr. L. been re-elected Phipps (Midlan Mr. Richardson the hon. secre Cross-Country I

The Thames cross-country ru eighth season n be held from the (3 p.m.), follo meeting.

It is unlikely pete in the *Dail* ment which begi as he has not f of influenza.

### ASSOCIATION

REPRESENTATI Combined Services LEAGUE NORTH 7; Preston North LEAGUE SOUTH City 3; Nottingham THIRD DIVIS Northampton Town Bristol Rovers 3, To

Lord Astor's g (C. Richards) Richards), brothe Owen Tudor, w Stakes at Salisbu



Conquest Soda Acid Extinguisher for freely burning risks.

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"THE TIMES"

WEDNESDAY SEPT. 19, 1945

8

THE TIMES WEDNESDAY

## THE JOYCE TRIAL ADJOURNED

### TWO COUNTS RULED OUT

### EVIDENCE BY DEFENCE OVERWHELMING

After the evidence for the defence had been completed, towards the close of the second day of the trial of William Joyce on a charge of high treason, at the Central Criminal Court, yesterday, Mr. Justice Tucker announced that only the last of the three counts in the indictment remained effective.

He said that the evidence produced by the defence to prove the prisoner's American nationality was overwhelming, and Counsel for the Crown indicated that the first two counts which depended on proof of Joyce's British citizenship would not be pressed.

The third count accuses Joyce that, while he was a person owing allegiance to the Crown, he did traitorously adhere to the King's enemies in Germany by broadcasting propaganda.

Dulwich. He was the third son of Michael Joyce and was born in Galway, Ireland, in August, 1917.

Mr. SLADE.—Do you know the prisoner in the dock?—He is my eldest brother.

Witness said he had another brother older than himself, a younger brother, and a sister. His family had moved from Lancashire to West Dulwich in 1923, and in September, 1940, their house was almost completely destroyed by enemy action. His father died on February 19, 1941, and his mother on September 15, 1944.

He had been through his father's papers and had been able to find nothing at all dealing with his father's nationality. He remembered an incident about 11 years ago when certain documents were destroyed by his father. He had seen him burning a number of papers, and embossed on one of these he had noticed an American eagle, and he believed there was a red seal.

He was then handed a tattered marriage certificate which he identified as his parents' marriage certificate and identified his father's signature on it. He also identified his father's handwriting on a number of other documents, including his father's will and a paid cheque, payable to William Joyce, and dated April, 1923.

Mr. SLADE.—Did your father at any time discuss his nationality with you?—He did so on a number of occasions.

What did he say his nationality was?—He said he was an American.

Can you give us some sort of idea of the year or period of years by reference to your own age when he discussed his nationality with you?—I should say I was about 10 years old when I was first conscious of his having mentioned it and then on other occasions after that.

Did he say anything more to you when he told you he was an American?—Yes. He told me not to talk about it outside as

perhaps a spy—and remaining here for some time unknown to the Sovereign, was not under the duty of allegiance because he was not receiving the protection of the Crown. It was only the alien friend, who was not only resident in the country but who was a protected person, who had the corresponding duty of allegiance. An alien travelling abroad under the protection of the King's passport equally owed allegiance to the Crown. Moreover, allegiance continued although the co-relative right of protection might be in suspense.

Mr. JUSTICE TUCKER.—You have emphasized the protective aspect of the passport as such, but may it not be that allegiance which is set up locally may depend upon the residence of the alien and that, as has been indicated in some of the authorities you have referred to, this residence may not cease by reason of a merely temporary absence from the realm? Supposing, during the recent war, before Italy came into the war, an Italian subject who got out of this country for 24 hours and had adhered to the enemy by some act and then returned to this country, would he not still be guilty of treason based on his residence here, although the act was committed outside the country?

The ATTORNEY-GENERAL.—I should submit certainly so.

Mr. JUSTICE TUCKER.—If that is so, may not, in some cases, the holding of a passport for a limited period in itself indicate that the departure is for a limited period and not for a permanent casting-off of the dust of this country?

The ATTORNEY-GENERAL.—I respectfully submit that is so. The existence of the passport is some indication of an intention to return and constitutes a tie between the alien and the country.

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## Sport

### RUGBY

#### A NEW 7 FROM A NEW ZEALAND

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The tour will be there are many d The ground in Ita crete and quite imp it is proposed, w English Rugby Uni about 40 players engage in trial p suitable area of Se to accommodate 4 Another 20 player ward to this secon from the 60 eng hour games and so will be sent to E 40. In further tria players permitted chosen and the to Among the sele



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The third count accuses Joyce that, while he was a person owing allegiance to the Crown, he did traitorously adhere to the King's enemies in Germany by broadcasting propaganda, between September 18, 1939, and July 2, 1940—the period before his renewed British passport had expired.

Joyce had pleaded "Not Guilty" to all three counts, and the submission of the defence was that he had never been a British subject and, therefore, did not owe allegiance to the Crown.

Counsel for the prosecution are the Attorney-General (Sir Hartley Shawcross, K.C.), Mr. L. A. Byrne, and Mr. Gerald Howard; and for the defence, Mr. G. O. Slade, K.C., Mr. Derek Curtis-Bennett, K.C., and Mr. J. Burge.

In his resumed opening of the case for the defence at the outset of yesterday's proceedings, Mr. Slade said that he did not propose to call Joyce into the witness-box, because he could not possibly give evidence of when or where he was born or of when his father became a naturalized American.

At the outset Mr. Slade put in a sealed and certified extract from the Naturalization Record for the State of New Jersey, consisting of two documents, one called the declaration of intention, dated July 22, 1892; and the other, the petition, dated October 25, 1894, both relating to the naturalization as an American citizen of Michael Joyce.

### CITIZEN OF U.S.A.

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Did he say anything more to you when he told you he was an American?—Yes. He told me not to talk about it outside as it might not be in his interest if it became generally known.

Two postcards, one dated 1907, addressed to Mrs. Holland at Boston Road, New York City, and postmarked Brooklyn were produced and witness identified them as being in his mother's writing.

Mr. JUSTICE TUCKER, addressing Mr. Slade, said: I am sure it is unnecessary for me to draw your attention to the fact that there has been no cross-examination of the last two witnesses.

Mr. SLADE.—I have borne that in mind.

### IN ALIENS REGISTER

Detective Superintendent John Woodmansey, of the Lancashire Constabulary, produced correspondence and records relating to Joyce's parents which were made in the aliens register for Lancashire in 1917.

Michael Joyce was shown as an American and his wife as an American by marriage. They had come to England in connexion with settling the probate of a will and left later for Ireland. Mrs. Joyce had left for Ireland without notifying the police in accordance with the regulations applying to aliens, and in correspondence between the chief constable of Lancashire and the inspector-general of the Irish Constabulary reference was made as to a doubt about Michael Joyce's nationality, but the inspector-general decided to treat both Michael Joyce and his wife as American subjects.

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The ATTORNEY-GENERAL.—I respectfully submit that is so. The existence of the passport is some indication of an intention to return and constitutes a tie between the alien and the country.

Mr. JUSTICE TUCKER.—If that is right, that, I think, would be a question for the jury.

### PRIVILEGES OF PASSPORT

In a final submission on this point the ATTORNEY-GENERAL said that it was unthinkable that a person who had apparently been domiciled in this country, who had the whole of his family living in this country, who left the whole of his relatives, his father, mother, sister, and brother, with the exception of his wife, here, who had secured from this country the substantial measure of protection that the issue of a passport involved, who had secured the right to return to the country at any time as a British subject, who had declared himself a British subject and had used the privileges of the passport, could not be said to owe a corresponding allegiance to the Crown.

Mr. SLADE, in his submission, said that an alien owed allegiance to the King only so long as he was within the King's Dominions and the whole of the authorities cited by the Attorney-General went to prove that fact with one possible exception. That exception was the only one he had been able to find and it was difficult to say what the rule laid down was as it was differently put by two authorities. It could not be said that a man had left his family behind if he left his father, or brother, or anyone else over whom he had no control. By family was meant a wife and children and by effects those that belonged to a person and not to his brother or sister. There was no evidence that Joyce went abroad leaving

## Sport

### RUGBY

#### A NEW Z

FROM A NEW ZE

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The tour will beg there are many di The ground in Italy crete and quite imp it is proposed, w English Rugby Unio about 40 players w engage in trial ga suitable area of Sou to accommodate 4 Another 20 playen ward to this secon from the 60 engag hour games and so will be sent to En 40. In further trial players permitted chosen and the tou

Among the select in the Artillery, w team in England; a front row forward, 5 years and toured 5 the team captained

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Major J. Finlay i ward, whose display in the early war ye of loose play pro Another player of 1 Lieutenant J. Smith unusual speed and a Lieutenant J. R. Sh winger of nearly 14 may be at forward. Our adoption of th not yet been success New Zealand Unio print a pamphlet s proper methods for Whatever the w team as selected un do honour to its D

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#### CITIZEN OF U.S.A.

He proposed to call an American lawyer, he said, who would tell the Court that the moment the oath of naturalization was sworn in open court by Michael Joyce in 1894, he thereupon became, according to the American law as it stood in 1894, a citizen of the United States.

He repeated that if certain evidence in regard to these matters was challenged it might be necessary to apply for an adjournment of the trial to obtain the evidence of John Joyce, an uncle of the prisoner, now in America, and the evidence also of Joseph Douane, a brother of John Douane, now dead, who was an attesting witness to the naturalization petition of Michael Joyce. Mr. Slade said he proposed to produce a copy of a birth certificate obtained on November 2, 1917, which was a transcript from the records of the State of New York, and which recorded the birth of a child named William Joyce, on April 24, 1906, in New York. He would also produce a marriage certificate showing that Michael Joyce was married to Gertrude Emily Brooke at All Saints' Roman Catholic Church, Madison Square and 129th Street, New York, in 1905.

With regard to the third count in the indictment, Mr. Slade said that the argument for the prosecution was that William Joyce applied for a British passport saying that he was a British citizen by birth; as a result of that application a British passport was issued to him and was twice renewed on his further declarations that his status had not changed. "I am not," he said, "in a position to dispute, and I do not intend to attempt to dispute, what is incontrovertible. Whether these facts bring upon the prisoner the duty of allegiance is, as I understand it, a pure question of law for his lordship to decide, and I do not therefore propose to trouble the jury with a submission on that point."

#### FIRST WITNESS FOR DEFENCE

The first witness called for the defence was Mr. Frank Holland, of Peartree Cottage, Hoath, near Canterbury. As he was rather deaf he was directed by the Judge to stand in front of the dock near Mr. Curtis-Bennett, who questioned him. He said he was a retired civil engineer, and was born at Shaw, in Lancashire, on March 31, 1883. He knew Gertrude Emily Brooke, who had been a school friend of his wife. She was then known as "Queenie." She went with her brother to the United States in 1905 to marry Michael Joyce.

In the following year witness emigrated to the United States with his wife, and one of their first visits when they arrived in New York was to the Joyces, who were living in Brooklyn. William Joyce was then a few months old. They visited each other frequently after that, until in 1909 the Joyces left for Ireland. Michael Joyce told him he had become an American citizen, and advised him to become one too.

He (witness) became an American citizen about five years before the outbreak of war in 1914. He came to England during the war, and had to register as an alien. Michael Joyce and his wife also had to register as aliens.

Mr. CURTIS-BENNETT.—Having known William Joyce all these years can you look around the Court and say if you can see him here?

The witness nodded his head towards the prisoner and said, "That is William Joyce."

Further questioned, he said that when he became a British subject...

mansey, of the Lancashire Constabulary, produced correspondence and records relating to Joyce's parents which were made in the aliens register for Lancashire in 1917. Michael Joyce was shown as an American and his wife as an American by marriage. They had come to England in connexion with settling the probate of a will and left later for Ireland. Mrs. Joyce had left for Ireland without notifying the police in accordance with the regulations applying to aliens, and in correspondence between the chief constable of Lancashire and the inspector-general of the Irish Constabulary reference was made as to a doubt about Michael Joyce's nationality, but the inspector-general decided to treat both Michael Joyce and his wife as American subjects.

Mr. Bernard Reilly, a retired officer of the Royal Irish Constabulary, said that he saw Michael Joyce, his wife, and son—the prisoner—in 1917 when they were living at Rutledge Terrace, Salthill, Galway. Michael Joyce told him that he had taken out naturalization papers in the United States but thought he had lost that nationality by lapse of time by not having asked to be re-registered.

Mr. William Forbes, an examiner of questioned documents, and employed in that capacity for 20 years by Government departments, police, banks, insurance companies, and the American Government, produced photographically enlarged copies of Michael Joyce's signature and said that he was certain that the signatures on the documents—already produced—handed to him were all made by the same man.

Mr. Henry Endicott Stebbins, First Secretary of the American Embassy in London, was the next witness. Mr. Slade said that he was entitled to diplomatic immunity, but he desired to assist in every way he could. Witness said that the swearing of the oath in the petition of naturalization by Michael Joyce granted him American citizenship.

#### AMERICAN BY BIRTH

Mr. SLADE.—Supposing that this Michael Joyce married in New York and a son was born to them in New York, according to American law what would be the nationality of that son?—An American citizen by birth.

Even assuming at some subsequent time that the father lost his American nationality, would that, according to American law, have any effect on the status of a son born in America?—No.

There was no cross-examination, and this closed the case for the defence, during which no witness had been cross-examined by the Crown.

At this point Mr. SLADE asked the Judge to indicate what matters there were for the jury to try.

Mr. JUSTICE TUCKER.—Mr. Attorney-General, perhaps you would assist me now by saying whether, having heard the evidence adduced by the defence, you are going to invite the jury to come to the conclusion that this man is a British citizen.

SIR H. SHAWCROSS.—I have indicated already as far as I can that I am not likely to press that point. I should certainly not regard it as my duty to do so.

Mr. JUSTICE TUCKER.—I think everybody must agree that the evidence that has been tendered is really overwhelming. That leaves us with count three only effective. With regard to that it would be convenient if the Attorney-General would elaborate his submissions with regard to that, in order that Mr. Slade may know where he stands.

SIR H. SHAWCROSS said that his general submission was that when one looked to see what the basis of allegiance to the Crown was one found that it rested upon the question of protection by the Crown. Until comparatively modern times the passport had not come into being at all, and the Crown was not in general able to vouch for its citizens, once they had left Crown territory.

#### ALLEGIANCE DUE FROM ALIENS

The ATTORNEY-GENERAL said that it was undoubtedly the law, and had been for

a British subject and had used the privileges of the passport, could not be said to owe a corresponding allegiance to the Crown.

Mr. SLADE, in his submission, said that an alien owed allegiance to the King only so long as he was within the King's Dominions and the whole of the authorities cited by the Attorney-General went to prove that fact with one possible exception. That exception was the only one he had been able to find and it was difficult to say what the rule laid down was as it was differently put by two authorities. It could not be said that a man had left his family behind if he left his father, or brother, or anyone else over whom he had no control. By family was meant a wife and children and by effects those that belonged to a person and not to his brother or sister. There was no evidence that Joyce went abroad leaving his wife.

Mr. JUSTICE TUCKER.—There is no evidence so far as I know that he has ever married.

#### "NO JURISDICTION"

Mr. SLADE quoted instances where it was said again and again that allegiance was co-extensive only with residence. International law, if there were such a thing—which he did not for one moment admit—had nothing whatever to do with this case. Allegiance depended on the law of this country. There was no sanction attached to international law as we had noticed in this country in the last two wars. They were concerned here with a British passport which had in fact been issued to an American subject. The Crown had no jurisdiction to issue a British passport to an American subject.

To what sort of protection was an American subject holding a British passport entitled? If he went to Spain and a Spaniard wanted to do him an injury and he sought the protection of the British Ambassador, the Spaniard could say, "He is an American, and your Crown has no right to offer protection to an American subject."

Joyce was now an American subject. If in August, 1939, when he left Great Britain, instead of going to Germany, he had gone to New York in his own country, and if America had come into the war against us instead of on our side, he would have been liable for service in the American Army. Whatever he tried to do, if the passport lasted for a year, he would be committing treason against this country by fighting for his own country. Quite apart from this *reductio ad absurdum*, Mr. Slade submitted that allegiance existed from the moment of entry and only so long as residence continued in this country. If this were so, the whole of the case for the Crown went.

Mr. Slade's submission was interrupted when the Court adjourned until to-day.

#### MEMBERSHIP OF THE UNITED NATIONS

#### TO BE CONSIDERED BY GENERAL ASSEMBLY

The Executive Committee of the Preparatory Commission of the United Nations, meeting at Church House, Westminster, yesterday, decided that the first meeting of the General Assembly should consider the report of the Security Council on the procedure to be followed regarding the admission of new member States and that the Assembly should consider recommendations, if any.

The proposal was made by Mr. STETTINIUS (United States), and was accepted by 11 votes against those of the delegates of the U.S., Czechoslovakia, and Yugoslavia. The Chairman, M. René Massigli (France), had previously suggested that the procedure to be followed for the admission of new members should be referred to a committee, but this was not accepted.

Mr. NOEL-BAKER, British Minister of State, speaking in favour of the retention on the agenda of the item covering the admission of new members, said that it would be wrong in principle and

Zealand in 1937.

Major J. Finlay, whose display in the early war years of loose play produced a number of unusual speed and a Lieutenant J. R. Shwinger of nearly 14, may be at forward. Our adoption of it not yet been successful. New Zealand Union print a pamphlet proper methods for

Whatever the team as selected un do honour to its D after the 1935 tour All Blacks, with its English International tions about selection and so on. Except men, these have dim years. But within the how the fighting men one of the problems, the Division, there the team as chosen w accuracy and fire th

G

#### "DAILY MAIL"

The weather was St. Andrews yesterday practice began for guineas tournament of which will start morning. For the outbreak of war th atmosphere about t Royal and Ancien Course was remark

S. L. White will, go out, take the place has withdrawn, and will play instead of I place of A. Peacock representative of An man will play in pla scratches are those Christie, L. F. Ro E. W. H. Kenyon, J. T. H. Cotton has by from his recent att decision as to his play not be made until as

One round of 18 hol another to-morrow, a 50 players will take p on Friday.

A Reuter message fr states that the United has announced that national championship and the women's am suspended since 1941 year.

RM

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Mr. CURTIS-BENNETT. — Having known William Joyce all these years can you look around the Court and say if you can see him here?

The witness nodded his head towards the prisoner and said, "That is William Joyce."

Further questioned, he said that when he became a British subject again he had to go through some formalities.

The ATTORNEY-GENERAL indicated he had no questions for the witness.

#### BROTHER'S EVIDENCE

Mr. Edwin Quentin Joyce, the prisoner's brother, was the next witness. He said he was a Civil servant of Underhill Road, East

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#### ALLEGIANCE DUE FROM ALIENS

The ATTORNEY-GENERAL said that it was undoubtedly the law, and had been for hundreds of years, that an alien in this country who, owing natural allegiance to the country of his birth, might, none the less, owe local allegiance to this country, and be prosecuted for treason here. The basis of allegiance due from an alien was the protection the alien had while in the realm.

An alien coming into the King's realm—perhaps a member of the enemy's forces or

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Other matters provided for in the draft agenda include the appointment of the secretary-general, and the submission of recommendations concerning the permanent organization of the General Assembly, including committees and staff, the provisional budget, and the location of the permanent headquarters of the United Nations. Another item deals with the election of the judges of the International Court of Justice.

The Executive Committee adjourned until to-morrow.

#### From THE TIMES of 1845

FRIDAY, SEPTEMBER 19, 1845. Price, with a supplement, 5d.

[From a notice of the Norwich Musical Festival.]

The first piece was Weber's hymn, "In seiner Ordnung Schafft der Herr," performed for the first time in Norwich. This, as a preliminary to the *Seasons* and the *Stabat Mater*, was rather an over-dose, and might perhaps have been omitted with advantage. It is, nevertheless, worthy of its author.

In the *Stabat*, the air "Cujus animam" was taken by Mario, the duet, "Quis est homo?" by Grisi and Miss Dolby, the sublime "Pro peccatis" by Staudizl, the cavatina, "Fac ut portem" by Miss Poole, the air (with chorus) "Inflamatus," by Madame Grisi, and the quartet, "Quando corpus morietur," by Grisi, Miss Dolby, Signor Mario, and Signor F. Lablanche.

It is needless to say that the Italian artists, though their pronunciation of Latin sounds affected, and gives an effeminate cast to that manly and sonorous language, acquitted themselves admirably. . . . [The *Stabat Mater* is] a work which places ecclesiastical music in a new light.

\* \* \* *Stabat Mater* was written between 1832 and 1841; Madame Grisi took part in the first complete performance in Paris in 1842 and was now a London favourite. Latin was still generally pronounced in this country in "the English manner," so designated in a charter of Henry VIII to King's School, Canterbury.

Sir Frederick Minter has accepted the office of hon. treasurer of the British Drama League on the retirement of Mr. Alec L. Rea, who has held that position for 20 years.

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#### OFFICIAL S

Cesarewitch Stakes. New noon on Monday; Green C day; Nero, Naishapur and Cambridge Stakes—9 a.m. yesterday.

#### TO-DAY'S ASSOCI

LEAGUE SOUTH.—Chel THIRD DIVISION. St Queen's Park Rangers v. C County v. Port Vale (6.0). (5.30). SOUTH REGION.—Bristol City (3.15). Exeter Reading v. Crystal Palace

#### CRIC

MELBOURNE, Sept. 11 president of the Victoria said to-day that the Control wanted an Eng Australia during the Board of Control is 1 October 10 and it is reply about the visit will

#### CRICKET

COMMANDO CLUB TOUR. Tunbridge Wells, 60; Comm Regis.—Commando, 187; for 5. At Hove.—Comm R.N.Z.A.F., 125 for 8. A mando, 177; New Zealand School Wanderers, 155; Co

R. W. V. Robins has to captain Middlesex net to I. A. R. Peebles.

#### SERVICES REGATT

Australia, New Zealand Services crews will con Kingston-on-Thames on The events are eights, f, sculls.

#### DISPOSAL OF

The Ministry of War numbers of applications surplus army huts, only 1 which can be successfully almost invariably erected land, and if they are no Government they are first of the land. The small absorbed in this way are locally by the district off of Works. Competitive being resp for dism the huts. one of list p there is no



# MOUSSEC

Like most other good things, during the past troubled years, Moussec has been difficult to obtain—difficult because inevitably the supplies available have been quite insufficient to satisfy all demands.

But with the prospect of an early resumption of the interchange of good things between this country and France we can once more look forward to receiving the grape juice we need from our House in the Champagne district, and then again—

WE SHALL HAVE MOUSSEC WHEREVER WE GO

\* \* \*

"THE TIMES"  
WEDNESDAY SEPT. 19, 1945

✓ THE TIMES WEDNESDAY SEPTEMBER



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... by Radio! Enemy bomb dumps With the vast new experience of radio-

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OPPORTUNITY FOR TALKS





## FOUND!

... by Radio! Enemy bomb dumps  
... V sites ... booby traps ... mine nests  
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And in inventing, pioneering and manu-  
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She's got that sparkling smile that mother loves to see! She makes sure that she keeps her teeth clean, healthy and free from discoloration by regular use of Phillips' Dental Magnesia, the one toothpaste containing 'Milk of Magnesia,' which corrects mouth acid, so often the cause of dental trouble. Children use Philips' Dental Magnesia gladly because it leaves the mouth feeling clean, and they love its flavour!

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The firing was not at all necessary to preserve order, he added. No attention was being given to the wounded. It looked as though the shooting was going to continue, because the S.S. were still threatening the prisoners.

"We took steps to stop the men who looked as if they were going to fire," said Brigadier Hughes, "and warned Kramer that we would shoot if they did so. We ordered Kramer to take the wounded away. There was firing intermittently through the night and the next day."

Brigadier Hughes said that he made a full investigation of the camp on April 16 and spent the next two or three days organizing medical services. He went on to describe the five compounds in which 28,185 women and 12,000 men were confined.

## DEAD WITH LIVING

"Conditions in the camp were really indescribable," Brigadier Hughes said. "No description or photographs could bring home the scenes outside the huts. There were piles of corpses lying all over the camp, of varying sizes, some outside the wire, some in between the huts. In the huts there were bodies in the same bunks as the living. Some of the huts had bunks filled to overflowing with prisoners in emaciation and every stage of disease. There was not room for them to lie down. Near the crematorium were signs of filled-in masses of graves, and outside at the compound was an open grave rather full of bodies."

"The hut in the women's compound contained typhus patients. There were no bunks. The women were lying on the floor, so weak that they could hardly raise themselves on their elbows. There was no sanitation. Conditions were indescribable, because some of the internees were suffering from some form of gastro-enteritis and were too weak to leave the huts. The lavatories in the huts were long out of use. There was in one of the women's compounds a deep trench with a pole across, but there was no screening or any form of privacy at all. Those who were strong enough to get into the compound performed their natural acts where they were. The compounds were masses of human excreta. In the huts excreta from the top bunks dropped into the bunks below."

"One hut had 208 occupants and was close to a pile of corpses. There were dead women lying in the passage, which was so full that no woman could lie out straight. The main room was one mass of bodies. It was impossible to get another one into it. The living inmates were in a condition of extreme emaciation, with women dying frequently. In that compound I think there were 17,000 acutely ill out of 23,000. These 17,000 should have been in hospital, and many of them had no chance of recovery. For those 17,000 ill women there were 474 bunks. There were a small number of children in this compound. They were in fairly good condition. Obviously the mothers had sacrificed themselves to look after them."

Brigadier Hughes described a pile of many hundreds of bodies, very long and very high. This pile of corpses was close to the compound where the children were and in sight of it. There were quite large stocks of medical supplies in the camp, but one issue was 300 aspirin tablets for 17,000 sick people for a week.

While the witness was giving these details one of the woman prisoners smiled and whispered with the accused next to her. She was cautioned by the military police guard.

"The food supply in the camp at the time of entry was, I think, practically nil," Brigadier Hughes said. "At the most, one meal a day of watery stew made from vegetables. There was absolutely no means of ensuring that each person got his share of food. When a man got too weak, his friends became indifferent owing to their condition, and he got none. The only water available to the internees was laid on to wash-places and in concrete ponds, in which the internees were not allowed to go."

## EVERY DISEASE

Seventy per cent. of the...

## NEW GRAVING DOCK AT CAPETOWN

### SECOND LONGEST IN WORLD

FROM OUR OWN CORRESPONDENT

CAPETOWN, SEPT. 18

The new graving dock at Capetown was officially opened to-day by Chief Justice N. J. de Wet, the officer administering the Government, in the presence of several thousand people, including representatives of the Admiralty, and of Rhodesia and Mozambique. Air Chief Marshal Sir Arthur Harris, who is on holiday in South Africa, was also there. Chief Justice de Wet said this great dock, which put Capetown high among the ports of the world, would be named after Mr. Sturrock, the Minister of Transport, under whose administration it was conceived and built.

The Government decided to construct the dock after Mr. Sturrock's visit to England in 1942. The British Government paid part of the cost and provided machinery and equipment not available here. The normal length of the dock is 1,118 ft., but when an emergency stop is in use, its extreme length will be 1,212 ft. The dock is thus exceeded in length only by the drydock at Toulon, which it exceeds in breadth.

## DEBT OF FREE PEOPLE TO BRITAIN

### M. BLUM'S TRIBUTE

M. Léon Blum, the former Socialist Prime Minister of France, who has been on a visit to England during the past fortnight, told a Press conference in London yesterday that while a prisoner in Germany he listened to the B.B.C.

"I can't express to you," he said, "my feelings as each day I heard coming across the air 'Ici Londres,' but it was like listening to the opening of a Beethoven symphony. The B.B.C. was one of the chief things which kept us in touch with life. It kept us hopeful to know that there was one place in the world where people wanted to hear the truth."

M. Blum said they owed a debt of gratitude to Great Britain which no free people must ever forget. The salvation of the world was in the hands of Great Britain, and it was the courage and sacrifice of her people which made possible the liberation of mankind. Britain had never ceased to be a very great Power in the world. The material wealth which had been destroyed would be recreated, but under a new order based on social justice.

He had seen it suggested that the first thing should be an alliance between France and Great Britain, and they could settle their differences afterwards. He did not agree. He thought it would be wiser to elucidate the problems and solve any differences that there might be between them, and then make an alliance. He thought it possible and desirable that Italy should be brought into the western family of nations.

## U.S. LABOUR DISPUTES

### WIDE POWERS FOR SECRETARY OF LABOUR

WASHINGTON, Sept. 18.—President Truman has given full powers to Mr. Schwelmbach, Secretary of Labour, to cope with the major strike threat in the United States.

The President announced to-day that all the powers of the War Labour Board, the War Man-power Commission and the U.S. employment service would be taken over and controlled by the Secretary of Labour. He said it was up to Mr. Schwelmbach to do what was necessary and what could be done if a major strike should develop in Detroit.

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far excels all other materials for electrical insulation, heat resistance and mechanical strength.

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Lodge Plugs Ltd., Rugby.



## The adventures of Alice in Plasticland

"Curious and curiousest" said Alice as she turned over the pages of the book on plastics. It was absorbingly interesting—not just the pictures and the descriptions but the possibilities. With the vision of a child Alice was peering into the future, looking ahead and seeing the multiple uses of plastics in

the second half of the twentieth century. But Alice was very drowsy. The word *Elo* on the front page of the catalogue kept becoming fainter then suddenly clearer... then faint again. She really must remember that word *Elo*... she really must remember it—remember it...



### PLASTICS

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No. 1 of a Series

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### EVERY DISEASE

"Seventy per cent. of the people in the camp required hospitalization, and of these at least 10,000 would die before they could be put in hospital. There were 10,000 corpses when we arrived. Every form of disease was prevalent, but the diseases mainly responsible for the conditions were typhus, starvation, and tuberculosis. Privation and the suffering they had gone through were the cause of the disease. Typhus was brought in on February 5 by 2,000 Hungarians, and it then raged through the camp."

All the accused listened keenly to this evidence, Kramer making occasional notes. As each question and answer were translated by the German and Polish interpreters, the expressions of the prisoners changed and their attentiveness increased.

Referring to photographs of Belsen produced in Court, Brigadier Hughes said that photographers had to climb over dead bodies to take photographs in a passage. Some of the photographs showed bodies with no flesh on them, while one showed four women prisoners carrying a body to a grave.

Cross-examined by Major Winwood, the officer defending Kramer, Brigadier Hughes said that even if there had been a bed for every internee, they could not all have got into the huts. The sanitary accommodation of the camp would have been capable of dealing with requirements if it had been in working order. He could only judge the medical administration at the camp by what the British army carried out with few people. The Germans could have done much more with the number of people they had in the neighbourhood.

Brigadier Hughes said that on the night of the arrival of the British, tanks were posted round the main food stores in the camp to protect it. During the night of April 15-16 the British guards had to fire over the heads of the prisoners to prevent internees who wanted to leave the camp from going away, as they might have spread disease.

The Brigadier said that Kramer took him to one of the open graves, and that Kramer's attitude was indifferent. Kramer hung his head in the dock as the interpreter translated the word "indifferent."

"Was Kramer's attitude frank when you went round the camp with him," the Brigadier was asked. He replied: "I would not say it was frank. It was unashamed."

Major L. S. W. Cranfield, defending, asked: "What are the effects of starvation on the mind

Continued in next column

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More than 100 strikes in the Middle West were paralysing U.S. motor production to-day, and there was the threat of a general stoppage in the industry by the United Automobile Workers. Oil workers are also out in the Detroit area, and all refineries in Texas are threatened.—*Reuter*.

of a person, as opposed to the body?" The Brigadier answered: "At first, if they saw their relations or friends starving, they would do all they could to provide food which they could not get themselves. Later they would look after themselves only, when they saw it was hopeless, and later they would become so lost as to be unable to look after themselves, and they would die."

In reply to further questions, Brigadier Hughes said that starvation over a prolonged period would affect the mind, and they had forecast that many of the internees would be permanently affected, but fortunately, although some might be, the number was much lower than was expected.

"A great deal has been said in this case of internees receiving such severe beatings that they were hospital cases," Major Cranfield said. "Did you see any?"

"I saw one," the brigadier answered. Captain Corbally, another defending officer, asked: "Was there separate hospital accommodation for the S.S.?"

"There was a most beautiful military hospital close by," Brigadier Hughes replied.

When he was asked by another defending officer about the cooking arrangements at Belsen, Brigadier Hughes said: "There was a large boiler in each cookhouse, which I imagine was responsible for so many compounds. Three cookings were required for each meal. I think the block leaders, who were internees themselves, brought the containers from the cookhouse to the compound, but I am not sure whether they or the S.S. brought it. The containers were taken into the compound, and I imagine it was then a free for all, and the weakest could not attend."

"You said there was disorderliness among the internees," Major Cranfield said. "Did you see the S.S. attack the internees?"

Brigadier Hughes answered: "No." "Did you see the S.S. guards attack anyone," Major Cranfield asked. The Brigadier said: "No, one S.S. man was shot trying to escape."

The trial was adjourned this evening until to-morrow.—*Reuter*.

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"THE TIMES"

THURSDAY SEPT. 20, 1945

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**DEATH SENTENCE  
ON JOYCE**

**GUILTY OF TREASON  
BY BROADCASTING**

William Joyce ("Lord Haw-Haw") was yesterday sentenced to death by Mr. Justice Tucker at the Central Criminal Court, after being found *Guilty*, on the third count in the indictment, of traitorously adhering to the King's enemies in Germany by broadcasting propaganda between September 18, 1939, and July 2, 1940. It was the third day of the trial.

On the other two counts, of broadcasting between September 18, 1939, and May 29, 1945, and of purporting to become a naturalized German, Joyce was, by direction of the Judge found *Not Guilty*.

The Judge, in his summing up, explained that the fourth count of the indictment, which

**SIZE OF ARMY  
IN JAPAN**

**STATEMENT BY  
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From Our Own Correspondent  
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The Judge, in his summing up, explained that the fourth count of the indictment, which had not been read in court, was no mystery. It dealt only with offences under the Treachery Act of 1940, and was an alternative which it had not been necessary to mention earlier.

Joyce showed no emotion as the death sentence was passed and bowed slightly to the Judge before turning to leave the dock. An hour later he was taken to Wormwood Scrubs Prison.

Joyce's solicitors stated yesterday that an appeal would be lodged.

Report on page 8

### BELSEN PRISONERS BEATEN

#### YESTERDAY'S EVIDENCE

A British intelligence officer who arrived at Belsen with the first parachute troops described conditions at the camp yesterday, when the trial of the commandant and guards was continued before the military court at Lüneburg.

He said he saw prisoners who had been placed in authority beating other prisoners with pieces of wood. When he announced by loud-speaker that the British were taking over, the noise of weeping and laughing from the women's quarters drowned the announcement.

A report of yesterday's proceedings at the trial is on page 3.

### SELECT COMMITTEE ON PROCEDURE

#### PROPOSALS TO QUICKEN

## SIZE OF ARMY IN JAPAN

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From Our Own Correspondent  
WASHINGTON, Sept. 19

At his Press conference to-day the Acting Secretary of State, Mr. Dean Acheson, was closely questioned about General MacArthur's statement that 200,000 men would be a sufficient occupying force for Japan within six months. He replied that he was surprised that anyone could foresee at this time the number of men needed. The forces in Japan were the instrument of policy, and not its determining factor. In brief, American policy was to change Japan's will to war. In response to one question, Mr. Dean Acheson disclosed that there was no prior consultation between General MacArthur and the State Department before General MacArthur's statement was made.

Discussing procedure, Mr. Dean Acheson said the machinery was for instructions to go to General MacArthur through military channels from the President. Asked about Japanese war criminals, the Acting Secretary of State said much work had been done in the Department on the list of Japanese war criminals, and that it was not General MacArthur's job to decide who should go on the list.

#### PRESIDENT'S STATEMENT

This morning the President issued a statement which leaves much of the situation unclarified. It was issued through his Press secretary, Mr. Charles Ross, and said that the impression that the speed of demobilization would be governed by the future needs of the occupation forces was not true; "No one can accurately forecast what those needs are going to be." Pointing out that earlier estimates were being constantly revised, President Truman said: "For example, General MacArthur this week stated that he would be able to handle the occupation of Japan and Korea with half the troops that only a month ago he estimated he would need for that purpose." "Carrying on demobilization as quickly as we can," President Truman proceeded, "we shall not really face the problem of the size or make-up of our occupation forces until next spring. The Army and Navy mean

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"THE TIMES"

THURSDAY SEPT. 20, 1945

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THE TIMES THURSDAY

## JOYCE SENTENCED TO DEATH

### FOUND GUILTY ON THIRD COUNT

#### APPEAL TO BE LODGED

Sentence of death by hanging was passed upon WILLIAM JOYCE ("Lord Haw-Haw") at the conclusion yesterday of his three days' trial on a charge of high treason, before Mr. Justice Tucker at the Central Criminal Court.

The jury were absent 21 minutes in reaching their verdict of *Not Guilty* on the first two counts, and *Guilty* on the third count of the indictment, which charged Joyce with traitorously adhering to the King's enemies by broadcasting propaganda from Germany while he owed allegiance to the British Crown, between September 18, 1939, and July 2, 1940.

Joyce, who had been seated in the dock making notes throughout the greater part of the three days, while long legal arguments were conducted by the Judge and leading counsel, stood rigidly to attention

or his effects here, he remained within the rule as laid down here. He submitted that an alien might be said to have left this country when he severed those ties which bound him to the country as a subject. That meant that the man had left with the intention of leaving permanently.

MR. JUSTICE TUCKER.—That is going very near a domicile.—Yes.

There is no trace in any of the cases of this question of domicile.—I respectfully agree.

I am inclined to the view that it is essential to your case to place your reliance on the protection afforded by the passport. If that is so, it would seem to me to be a pure question of law, irrespective of the animus under which the defendant may have left the realm.

SIR H. SHAWCROSS said he would be inclined to put it on two feet: one of residence, defining residence as continuing until the ties which made the residence had been broken—and that would include the existence of the passport as one of the ties. If he left with a passport issued to him for the purpose of going on holiday, then he was still a resident. Alternatively, if not a resident in that sense, he continued to be protected by the possession of the passport.

#### EVIDENCE UNCONTRADICTED

MR. JUSTICE TUCKER.—The evidence is all one way. The evidence seems to be uncontradicted, and it appears to me that it is a matter of law whether on that evidence a person owed allegiance or not.

SIR H. SHAWCROSS.—The facts on both heads are not in dispute.

MR. JUSTICE TUCKER.—There is no evidence that he left a wife or children in this country.

SIR H. SHAWCROSS said that apparently Joyce had no children, but there was evidence that he left his parents, and some evidence at least that he had business associations here.

time. In this case there can be no possible prejudice against this prisoner by reason of any other charge. There is no mystery or secrecy. He is charged under the second indictment with offences under the Treachery Act of 1940. It is only an alternative way of putting this matter, which may or may not have to be gone into. It is of no concern to you whatsoever. I am only telling you this so as to remove any false idea you might have of any mystery or secrecy."

In conclusion he referred to the fact that the trial had been postponed from the July session and said that was a very proper course in view of the very careful collection of evidence which had to be made. In his final instructions to the jury he said he had no doubt that on counts 1 and 2 they would return a verdict of "Not guilty." On count 3 they would have to ask themselves whether or not the case against the prisoner had been proved to their satisfaction beyond all reasonable doubt.

After the jury returned their verdict Joyce was asked whether he had anything to say why sentence of death should not be passed upon him according to law. He shook his head sharply and stood stiffly facing the Bench. The JUDGE then assumed the black cap and passed sentence.

As the court was clearing, the ATTORNEY-GENERAL, in reply to the JUDGE, agreed that the other indictment mentioned would not be proceeded upon.

## RACING

### ACCEPTANCES FOR AUTUMN HANDICAPS

FROM OUR SPECIAL CORRESPONDENT

## Sporting

### GOLF

#### HIGH SCORING ANDRE

FROM OUR GOLF CO

It was truly delightful golf at St. Andrews again most perfect September beyond the skies," with little westerly wind and on the grass. It was notably between the Clack Burn, but this was all for course, slow and heavy back tees, made a great hit in its eternal and fascinating in sheer hitting power. A professional told me that course he had ever had was certainly very fierce, second and fourth came their kingdom.

From the start it was be high. The Irish players impressed local pundits in a good pace with Clark Whiston and McLachlan, that not many could maintain who is always dangerous, and was the first really fancied and he swung the club

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Joyce, who had been seated in the dock making notes throughout the greater part of the three days, while long legal arguments were conducted by the Judge and leading counsel, stood rigidly to attention during the final scenes; and, after sentence had been pronounced, bowed profoundly to the Bench, turned sharply, and walked briskly from the dock.

The Press Association was informed by Joyce's solicitors yesterday that an appeal is to be lodged immediately.

The first two counts of the indictment brought against Joyce the charge that, being a person owing allegiance to the Crown, he did adhere to the enemy, between September 18, 1939, and May 29, 1945. These made it necessary to establish that Joyce was a British subject, and after evidence by the defence to the contrary, described by the Judge as "really overwhelming," Crown counsel indicated on Tuesday that they would not press these charges but would proceed on the third count, which related only to matters which happened before the expiration of Joyce's British passport on July 2, 1940.

Counsel for the prosecution were the Attorney-General (Sir Hartley Shawcross, K.C.), Mr. L. A. Byrne, and Mr. Gerald Howard; and for the defence, Mr. G. O. Slade, K.C., Mr. Derek Curtis-Bennett, K.C., and Mr. J. Burge.

#### INDICTMENTS AMENDED

At the beginning of yesterday's proceedings Mr. Justice Tucker granted the application of the Attorney-General to amend the first two counts in the indictment and to insert: "Being a British subject owing allegiance to the King" instead of "Being a person owing allegiance to the King."

or his effects here, he remained within the rule as laid down here. He submitted that an alien might be said to have left this country when he severed those ties which bound him to the country as a subject. That meant that the man had left with the intention of leaving permanently.

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SIR H. SHAWCROSS said that apparently Joyce had no children, but there was evidence that he left his parents, and some evidence at least that he had business associations here. He had a bank throughout his stay, and there was no evidence that he had transferred his banking account.

Concluding his submission, he said:—I ask your lordship to say here that in the circumstances of this case a person who, being domiciled in this country, applies for a passport for holiday purposes does not cease to be resident in it merely because he leaves the country.

The Judge intimated that he would give his rulings after lunch.

MR. JUSTICE TUCKER, when the Court resumed after luncheon, announced that he would direct the jury on Count 3 that on August 24, 1939, when the passport was applied for, the prisoner beyond a shadow of doubt owed allegiance to the Crown of this country, and that on the evidence, if they accepted it, nothing happened at any material time thereafter to put an end to the allegiance that he then owed. It would remain for the jury and the jury alone as to whether or not on the relevant dates, Joyce adhered to the King's enemies with intent to assist the King's enemies.

#### ADDRESSES TO JURY

MR. SLADE then made his final submission to the jury on the prisoner's behalf. He said that the only piece of evidence that he could recollect of any broadcast alleged to have been made by Joyce between September 18, 1939, and July 2, 1940, was that given by Inspector Hunt, in which he said he heard a voice say that Folkestone and Dover had been destroyed. The inspector was insistent that he had made no mistake in the voice, but it must have been a mistake, although he had heard

time. In this case there can be no possible prejudice against this prisoner by reason of any other charge. There is no mystery or secrecy. He is charged under the second indictment with offences under the Treachery Act of 1940. It is only an alternative way of putting this matter, which may or may not have to be gone into. It is of no concern to you whatsoever. I am only telling you this so as to remove any false idea you might have of any mystery or secrecy.

In conclusion he referred to the fact that the trial had been postponed from the July session and said that was a very proper course in view of the very careful collection of evidence which had to be made. In his final instructions to the jury he said he had no doubt that on counts 1 and 2 they would return a verdict of "Not guilty." On count 3 they would have to ask themselves whether or not the case against the prisoner had been proved to their satisfaction beyond all reasonable doubt.

After the jury returned their verdict Joyce was asked whether he had anything to say why sentence of death should not be passed upon him according to law. He shook his head sharply and stood stiffly facing the Bench. The Judge then assumed the black cap and passed sentence.

As the court was clearing, the ATTORNEY-GENERAL, in reply to the JUDGE, agreed that the other indictment mentioned would not be proceeded upon.

## RACING

### ACCEPTANCES FOR AUTUMN HANDICAPS

FROM OUR SPECIAL CORRESPONDENT

The acceptances for several of the more important events which are to be decided next month were published in the *Racing Calendar* yesterday. They include those for the Cesarewitch and the Cambridgeshire, so often referred to as the popular autumn double.

There are 55 acceptors for the long-distance race which will be run at Newmarket on October 17 and one fewer for the Cambridgeshire which will be decided a fortnight later. The quality of the horses left in is good and there are indications that the fields for both of these popular events will be large, although there is a second acceptance next month.

The withdrawal of several well-known candidates is announced. Naishapur, one of the leading three-year-old fillies of the season did not pass the acceptance stage, and Manuchehr has been taken out of the Cambridgeshire, but the colt has been left in the Cesarewitch, in which his weight is 8st. 11lb. Manuchehr recently showed some of his best form when he won a mile and three-quarter race at Newmarket. The trainer Frank Butters has taken Dilawarji out of the Cesarewitch, but has Paper Weight and Fordham still engaged. High Stakes, a winner of five races this season, has been taken out of the Cambridgeshire. This was not altogether surprising as he had been allotted the big weight of 9st. 4lb. Star Lover, who had showed slaying ability, has gone out of the Cesarewitch and Blue Water will not take part in the Cambridgeshire.

The acceptances are:—

CESAREWITCH

## Sporting

### GOLF

#### HIGH SCORING ANDRE

FROM OUR GOLF CO.

It was truly delightful golf at St. Andrews again, most perfect September beyond the skies," with little westerly wind and on the grass. It was notably between the Clu Burn, but this was all for course, slow and heavy back tees, made a great in its eternal and fascinating sheer hitting power. A professional told me that course he had ever had was certainly very fierce, second and fourth came their kingdom.

From the start it was be high. The Irish player impressed local pundits with a good pace with Clark Whiston and McLachlan, that not many could maintain who is always dangerous, and was the first really fancy and he swung the club pleasantly as ever, but away. It happened to him others at St. Andrews, not quite near enough approach putts were not holding out putts were. Although he avoided all the sin, his score mounted and heartbreaking to see him, the 16th and 17th, and rather a millstone round.

#### COTTON

I watched J. R. Shoesmith, Surrey, for a few holes, apparent that he is really it seemed to me certain was not good enough for A fourth Irishman, Hack 75, but still nothing very. Then about lunch-time lived thrill. Cotton has nobody knew whether he when with sudden drama tee and hit a fine tee shot must dip the brush in eclipse. He was short of topped his pitch, was a short putt for 6 and. Clearly he was not fit, but it was a pity to start, and played out the round tactical error from what. Amid various pretty unquestionably good one a thoroughly sound play



when happened before the expiration of Joyce's British passport on July 2, 1940. Counsel for the prosecution were the Attorney-General (Sir Hartley Shawcross, K.C.), Mr. L. A. Byrne, and Mr. Gerald Howard; and for the defence, Mr. G. O. Slade, K.C., Mr. Derek Curtis-Bennett, K.C., and Mr. J. Burge.

#### INDICTMENTS AMENDED

At the beginning of yesterday's proceedings Mr. JUSTICE TUCKER granted the application of the Attorney-General to amend the first two counts in the indictment and to insert: "Being a British subject owing allegiance to the King" instead of "Being a person owing allegiance to the King."

The ATTORNEY-GENERAL explained that he had had an opportunity of considering the matter with counsel for the defence, and he thought the amendment would help to clarify the position and would make it clear that in respect of those two counts the prosecution relied upon the duty of allegiance of a British subject.

Mr. SLADE then continued his submission on the third count that an alien owed no allegiance to the King outside the King's Dominions, and quoted words written by Sir William Blackstone, "Local allegiance such as is due from an alien so long as he continues to live in the King's Dominions ceases immediately he leaves the King's Dominions." The corollary of Blackstone's insistence that residence in this country was the *sine qua non*, he said, was that no Court in this country had jurisdiction to try any treason alleged to have been committed by an alien abroad. He maintained that that point was unanswerable. In support of his argument he quoted many authorities ranging from as early as the fourteenth century to an essay by Dr. Stallybrass published this year.

Mr. Slade said that the Treason Act of 1543, a procedural Act concerning trial of treason committed out of the King's Dominions, applied, if it applied to aliens at all, only to aliens in respect of offences of treason committed in the King's Dominions. It would be inconsistent with the ordinary comity of nations if one nation abrogated to itself the right to try subjects of another nation for acts committed within the territory of that nation.

#### PROTECTIVE JURISDICTION

SIR H. SHAWCROSS, the Attorney-General, submitted that the point of jurisdiction really begged the whole question in this case. It was a question of the statute of treason which applied to offences committed outside the realm. It appeared to cover anybody, British subject or foreigner. The effect of the cases cited had been to qualify the statute to the extent that it only covered those persons owing allegiance to the Crown. Thus the Act of 1543 made it quite clear that treasons committed outside the realm were triable in the King's Courts.

In his submission, the exercise of protective jurisdiction was accepted on the part of all nations. There could be no doubt that the statute of treasons embraced offences committed anywhere within the realm or outside it by persons owing allegiance to the Crown, and so far from being an affront to the comity of nations or inconsistent with international principles the law was in accordance with the accepted practice of all countries.

If there was no precedent in this case it was simply because in no previous case had comparable circumstances arisen. The passport was a document of comparatively modern times, and there had been very few cases of treason since its introduction. It had only come into general use in the course of this century, and in this century there had only been one case under the Treason Act.

It was perfectly true, the Attorney-General continued, that protection was related to residence. But in his submission the only significance to be attached to that in the days covered by the judgments and authorities cited was that residence was the only way in fact in which the Crown could effectively take a person under its protection. It was merely an extension of that principle to say that an

that he then owed. It would remain for the jury and the jury alone as to whether or not on the relevant dates, Joyce adhered to the King's enemies with intent to assist the King's enemies.

#### ADDRESSES TO JURY

Mr. SLADE then made his final submission to the jury on the prisoner's behalf. He said that the only piece of evidence that he could recollect of any broadcast alleged to have been made by Joyce between September 18, 1939, and July 2, 1940, was that given by Inspector Hunt, in which he said he heard a voice say that Folkestone and Dover had been destroyed. The inspector was insistent that he had made no mistake in the voice, but it must be borne in mind that, although he had heard Joyce speak at meetings, he had never spoken to him. The jury would have to decide whether the prosecution had proved beyond all reasonable doubt that it was Joyce who broadcast those words in the first month of the war.

The jury had heard the language that Joyce had used in 1943 and 1944. However they might disagree with it or however they might be amused by it, at any rate those were reasoned statements. But this statement about Folkestone and Dover was grotesque and fantastic, and palpably false. Therefore, he (Mr. Slade) suggested that the probabilities were that Joyce did not make that particular broadcast. He asked the jury to say they were not satisfied beyond all reasonable doubt that it was Joyce who made it; and that even if they did accept that evidence, that the saying of those words did not constitute adhering to the King's enemies.

The ATTORNEY-GENERAL invited the jury to say that the mere act of broadcasting as applied to the German radio system was an act of adhering to the King's enemies irrespective of the subject-matter of any particular broadcast. That Joyce did broadcast was left in no doubt by his own statement.

In the German work-book, the Attorney-General proceeded, it appeared that on September 18, 1939, Joyce was taken into the service of the German broadcasting company as an announcer of British news. The case did not stop there. In evidence, the inspector said that not only in September but at the beginning of November, 1939, and on many subsequent occasions in 1940 he heard Joyce broadcasting over the German wireless. Was the broadcast about Folkestone and Dover fantastic to British soldiers or to other British subjects, too, in distant parts of the world who were not able to have accurate knowledge of what was happening in England? The last thing the prosecution desired in this case was to exaggerate the facts or to stretch the law, but he invited the jury to say that the charge had been established beyond doubt.

#### JUDGE'S SUMMING UP

MR. JUSTICE TUCKER, in his summing up, pointed out it was the duty of the jury, in the circumstances, to return verdicts of "Not Guilty" on the first two counts. Turning to the third count, he said that the question which had arisen was whether an alien who had undoubtedly put himself under the protection of, and thereby acquired status under which he owed allegiance to, the Crown, could divest himself of that allegiance by setting foot off the shores of this country, although in so doing he might still avail himself of the protection which was afforded to its subjects by the issue of a passport. This had been picturesquely described by the Attorney-General as leaving this country wrapped up in the Union Jack. That was the issue in this case. The fact that there had never been a case precisely like it was not conclusive one way or another. What had to be done was to find what was the fundamental law on the subject and then apply it to the particular case.

There was another phrase used by the Attorney-General, which was also picturesque, but which might be misleading. That was when he said that a man who left the country in this way armed with a British passport had thereby clothed himself with British citizenship. One could not do that. One was either

has been taken out of the Cambridgeshire, but the colt has been left in the Cesarewitch, in which his weight is 8st. 1lb. Manuchehr recently showed some of his best form when he won a mile and three-quarter race at Newmarket. The trainer Frank Butters has taken Dilawarji out of the Cesarewitch, but has Paper Weight and Fordham still engaged. High Stakes, a winner of five races this season, has been taken out of the Cambridgeshire. This was not altogether surprising as he had been allotted the big weight of 9st. 4lb. Star Lover, who had showed slaying ability, has gone out of the Cesarewitch and Blue Water will not take part in the Cambridgeshire.

The acceptances are:—

#### CESAREWITCH

John Peel, Abbot's Fell, Cadet, Triumvir, Avoca, Stormless, Blue Smoke, Distel, Paper Weight, Fordham, Good Days, Valencia, Ruscus, Smithereens, Manuchehr, Kerry Piper, Gusty, Paradise Club, Voluntary, Drybob, Ragberry, Granitza, Roanoke, Star Song, Reynard Volant, Pinch of Heaven, Poltron, Abbot of Knowle, Triple Bar, High Spirits.

The Devil's Lady, Ford Transport, Gibus, Forester, Ice, Red Sunset, Corona, Patou, Austerly, Mytholm, Restive, Retsel, Blue Sal, Queensland, Patrickswell, Siamak, Furioso, Spank, Wookey Hole, Master Man, High Hope, Mary Stuart, Bullerina, Lady Crusader, and Shelleys.

#### CAMBRIDGESHIRE

Grandmaster, Diredawa, Fair Glint, Hobo, Hunsingore, Paper Weight, Battle Hymn, Fairthorn, Fordham, Stalino, Vicinity, Silver Strap, Speckled Band, Kimberley, Full Speed, St. Clement, Seamus, Dilawarji, Prawn Curry, Joan's Star.

Eric's Folly, Avalanche, Dancing Flame, Cape Race, Flighter Command, The Student, Blue Breeze, Green Castle, Step Over, Prince Florimonde, Aprolon, Red Robin, Silver, Anglesy, Triple Bar, Scottish National, Clever Joe, Friar's Fancy, Castle Barney, Roadhouse, Outlake, Hay Hill, Double Harness, Frosty Moon, Will, Exotic from Tad, Felucca, Hangover, Colortama, Olyton, Gremlin, Esquire, Windsor Reach, and Sultana.

#### THE DAVIS CUP

MELBOURNE, Sept. 18.—The Australian Lawn Tennis Association have decided to put up the Davis Cup next year, probably in December, on the Kooyong courts here, if a challenge is received.—*Reuter*.

## COMPLEX SOCIAL LEGISLATION

### GOVERNMENT PLANS

FROM OUR PARLIAMENTARY CORRESPONDENT

The Government are now considering the stages by which it will be possible to enact and give effect to the social service legislation based on the Coalition White Papers, to which all parties are committed. A start will be made with the National Insurance (Industrial Injuries) Bill, which will be debated on second reading in the House of Commons very soon after Parliament reassembles.

The main National Insurance Bill—relating to unemployment and health insurance, retirement pensions, and death grants—cannot be ready for submission to Parliament until after Christmas. This will be a vast and complex measure and even after it has been passed into law next year there will be a further long period before the new benefits become payable.

In these circumstances it is believed that the Government are considering the possibility of assisting old-age pensioners by increasing their pensions in advance of the operation of the general benefits of the new insurance scheme. Family allowances under the new Act will probably be made payable from a date to be appointed within the next 12 months.

### LIBERAL PARTY COUNCIL

International affairs were discussed at a meeting of the Liberal Party Council in London yesterday, when the setting up of a Foreign Affairs Committee was approved.

Resolutions were adopted regretting that the Atlantic Charter appeared to have been for-

75, but still nothing very. Then about lunch-time lived thrill. Cotton has nobody knew whether he when with sudden drama tee and hit a fine tee sl must dip the brush in eclipse. He was short c topped his pitch, was 1 short putt for 6 and Clearly he was not fit, but it was a pity to start, and played out the rou tactical error from wha

Amid various pretty unquestionably good one a thoroughly sound pla little small for so big steadily all the way, an sun shone round the 1 long putts and a s Shankland looked as i but a five at the 16th made him 76, no mor respectable rounds. I a 75, and Adams, his p being caught in the Val the penalty.

Late in the afternoon who merged a number one big one. In the American player who h and on his heels came R. A. Whitcombe. By had failed to live up to wind blew harder, and rain out of a grey sky after a cut tee shot, lay dead for a three at the this with an all too bunker—in the circum got his five, and a Horton Smith began really lovely putt at the free wrist action whi great putter. Horton a wild second to the le a seven and made hi Whitcombe twice otherwise played well 38. That was one strok but he played wonder golf, with only a min are good judges who he well may, though on the weather. If it a great fancy for V Mangrum, Whitcoml disappeared into mist did not follow them must speak for them.

The leading scores:

73.—C. H. Ward (Lau)  
74.—W. J. Branch (I)  
75.—W. J. Clarke (L.P.G.A.), E. E. Whitcomb (U.S.A.), and A. J. Lacey  
76.—C. S. Denny (The Laoghaire), J. McLachlan, McMin (Fairhaven), J. G. (Royal Liverpool), F. G. McIntosh (Walton Heath newsam), J. Watt (N Kilcroney).

77.—G. B. J. Cox (An G. A. Malsey (Robin H fast), T. B. Haliburton attached), A. Lees (Do (West Derby), and Lloy  
78.—W. H. Davies (Crew's Hill), H. R. Wiperman (U.S.A.), J. Weetman (unattached), Faulkner (unattached), attached).

79.—W. S. Collins, Ju (Windermere), J. Knipe (Vale), J. Duggan (Ros attached), R. H. Brown down), C. A. Winks (unattached), W. Large, T. Wilson (Littlehill), A. J. Pantou (Pittlochry), P. Scager (Rothley Park), Gardner (unattached), M. ness), W. G. Roberto (Llandudno), T. G. Hur (Carlisle City), J. W. Da Whitcombe (Parkstone), Worthing).

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It was perfectly true, the Attorney-General continued, that protection was related to residence. But in his submission the only significance to be attached to that in the days covered by the judgments and authorities cited was that residence was the only way in fact in which the Crown could effectively take a person under its protection. It was merely an extension of that principle to say that an alien enjoyed the protection of the Crown when he went with a passport to a foreign country.

The defence had rather relied on quoted cases for the authoritative proposition that the very commission of an act of treason put an end to the right of protection and therefore the duty of allegiance. But protection did not cease merely when a person owing allegiance committed treason; it continued until by some positive act on the part of the Crown it was withdrawn. Allegiance could not be ended by unilateral action on the part of the person owing it. Although at the time material to the issue of the British passport Joyce was an American subject, the evidence before the Court was that he was a German, not an American subject.

MR. JUSTICE TUCKER.—It seems that all that has been established is that he has stated that he became a naturalized German.

SIR H. SHAWCROSS.—I am relying on that statement and the fact that he had a German passport.

#### DUTY OF ALLEGIANCE

Continuing, he said that there was no authority whatever for the proposition that the British Crown had no jurisdiction to grant a passport to an American subject. It was done with considerable frequency. The position of dual nationality was well recognized. The very application form in this case referred not only to British subjects and to naturalized subjects but to British protected subjects, and the British passport could be issued and was issued to persons, whether or not British subjects, if the Crown in the exercise of its prerogative thought right to protect them. No one could impeach a passport and the only power which could withdraw it was the power which issued it. So long as this British passport was in existence this man, whether or not an American subject, was entitled to be treated with the rights and privileges of a person protected by a British passport. He (Sir H. Shawcross) attached the greatest importance to the proposition that a person who enjoyed the effective protection of the British Crown was under a duty of allegiance so long as that protection continued.

Turning to the question of residence, he said that it was not to be construed in the sense of mere presence. If a man, although he was not present in this country, had left his family

guilty on the first two counts. Turning to the third count, he said that the question which had arisen was whether an alien who had undoubtedly put himself under the protection of, and thereby acquired status under which he owed allegiance to, the Crown, could divest himself of that allegiance by setting foot off the shores of this country, although in so doing he might still avail himself of the protection which was afforded to its subjects by the issue of a passport. This had been picturesquely described by the Attorney-General as leaving this country wrapped up in the Union Jack. That was the issue in this case. The fact that there had never been a case precisely like it was not conclusive one way or another. What had to be done was to find what was the fundamental law on the subject and then apply it to the particular case.

There was another phrase used by the Attorney-General, which was also picturesque, but which might be misleading. That was when he said that a man who left the country in this way armed with a British passport had thereby clothed himself with British citizenship. One could not do that. One was either a British citizen or one was not, and could not become one by saying he was or by carrying a passport. But if a man owed allegiance by having made his home here, and come to live here permanently, and then stepped out of this realm armed with the protection which was normally afforded to a British subject, if he left the realm "wrapped up in the Union Jack," then, in his lordship's view, he did not divest himself of the allegiance he already owed.

Mr. Justice Tucker then read extracts from law books relating to the decisions and resolutions of judges with reference to treason taken in 1707 and said that if these decisions were correct the physical presence of the alien concerned in this country was not essential to the offence of treason. If that was right it showed that the defence was not right when it submitted that the Court had no jurisdiction over a foreigner once he had left the shores of this country. It seemed to indicate that the real basis of the law of treason was the protection which a man was receiving from the Crown to which he had acquired allegiance by residence. He saw no reason whatever why that allegiance and that protection should not cover him when he was away from this country carrying the King's passport just as much as when he left his ox and his ass behind in this country. The judge said he might be wrong. If he was, he might be corrected. His duty was to tell the jury what he believed.

He then turned to review the evidence upon which the jury were to come to their conclusion as to whether or not it had been proved that during the period mentioned in the indictment Joyce had voluntarily adhered to the King's enemies. Did it matter whether propaganda was true or false if it were broadcast over the enemy's radio system? What was the purpose and object of a broadcast from Germany in English? Was it to assist Germany or to assist England?

#### THE ADDITIONAL INDICTMENT

There was one matter, he said, which had better be cleared right out of the way, because it had nothing whatever to do with this case. When Joyce was put up on the first day of his trial he pleaded "Not guilty" to this indictment and the learned clerk, following the practice of the Court, said "There is a further indictment against you."

"At this stage I stopped him, because I think it is better to deal with one thing at a

time to unemployment and health insurance, retirement pensions, and death grants—cannot be ready for submission to Parliament until after Christmas. This will be a vast and complex measure and even after it has been passed into law next year there will be a further long period before the new benefits become payable.

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#### LIBERAL PARTY COUNCIL

International affairs were discussed at a meeting of the Liberal Party Council in London yesterday, when the setting up of a Foreign Affairs Committee was approved.

Resolutions were adopted regretting that the Atlantic Charter appeared to have been forgotten by those in charge of the foreign policies of most of the 26 nations whose representatives subscribed to it, and urging the Government to work for a settlement of international problems according with the Charter in spirit and in letter, and deploring the consistent illiberality of British policy towards refugees.

#### ZIONISTS CALL EMERGENCY CONFERENCE

A special emergency conference of the Zionist Federation has been convened at the Conway Hall, Red Lion Square, W.C.1, next Monday evening, in view of the seriousness of the political situation. Addresses will be delivered by Dr. Chaim Weizmann, the president of the Jewish Agency for Palestine, and other members of the executive. Mr. Barnett Janner, M.P., will preside, and an opportunity will be afforded for a discussion. The conference will be private, and a comprehensive communiqué will be published afterwards.

#### LIABILITIES DISCHARGED

The first meeting of creditors was held yesterday at Bankruptcy Buildings under the failure of John Sebastian Marlow Ward, described under a creditor's petition as of "Park Road, New Barnet, known as Father Superior and Archbishop of the British Empire of the Orthodox Catholic Church, publisher and company director." Mr. V. Armstrong, assistant office receiver, presided. A solicitor representing the debtor produced receipts in respect of the liabilities, and stated that, in addition, the costs and expenses of the bankruptcy proceedings had also been discharged. It was the intention to apply immediately for a rescission of the receiving order. Mr. Ward was unable to be present at the meeting by reason of ill-health.

The committee of the Privy Council for medical research have appointed Professor Patrick Alfred Buxton (Professor of Medical Entomology in the University of London) and Sir Alexander Fleming (Professor of Bacteriology in the University of London) to be members of the Medical Research Council from October 1.

McIntosh (Warton Heath newsam), J. Watt (N. Kilcreney).

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80.—B. Preston (King G. Robins (Coventry He Cawsey (Blackwell), R. Jarman (West Lanes), J. Stevenson (Royal Portru F. Taggart (Wilmslow), R. Ferguson (Lucan), J. Herrington (Springhead).

#### RUGBY

J. Graham Jones United Hospitals, wounded and taken make his first app on Saturday against mond. Rosslyn Pa players, no guests b

Because of the im presentative XV. O Old Leysians have c London Scottish on September 29, and w Their first match wi at Croyley Green o

#### BILLIARDS CHAM

The Billiards f Council decided in I United Kingdom World's Profession. J. Davis is the hold The council appoi make the necessary date. There will al and snooker champ season.

After 20 years a London, the Billiar new offices. These E.C.4, and will be

#### ASSOCIATION

LEAGUE SOUTH.—THIRD DIVISION Queen's Park Ranger County 3, Port Vale 1 SOUTH REGION.—Bri City 3; Exeter City 1. Palace 4.

Stoke City mee League North mat

Captain I. Akers to captain the Ken season.



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Coming  
events...



## Imperial and Foreign SCENES WORTHY OF DANTE NIGHTMARE THAT WAS BELSEN

### JERSEY MAN'S STORY

From Our Special Correspondent

LÜNEBURG, SEPT. 20

This has been a terrible day at the Belsen trial. Horror after horror has been disclosed. First this morning all in the court room—the court, the prisoners, the Press, and German spectators—saw the films taken in the camp by the British Army Film Photographic Unit just after the British troops first entered it. Then followed evidence by the only Briton known to have survived imprisonment in the camp—a Jersey schoolmaster, Mr. Harold Osmand Le Druillenac, of St. Helier.

He is a dark-haired, youngish man, limping with the aid of a heavy stick. He told the court that with most of his family he was arrested at St. Helier on the day before D Day. For 18 months he had concealed a Russian officer prisoner, and in addition had a hidden radio. He was first sent to Wilhelmshaven, where he was made a welder in a naval arsenal, and then he went to Belsen with the rest of his *Arbeitskommando*. From the evidence in this trial and from other sources it appears that as the allied armies advanced into the Reich the Germans shipped off all foreign workers to the nearest concentration camp.

Mr. Le Druillenac gave his evidence in a matter of fact way. This was the first time Kramer and his associates had faced one of the survivors of their camp, but for the first hour or so the Jersey man did not even look at them. During intervals in the translation of his evidence into German and Polish he began looking at them with what seemed a puzzled air, as if trying to find a link between his dreadful experience and the three rows of men and women in the dock, as if trying to realize these were the people who had been rulers of the camp where he had seen his best friend, a French colonel, dragged off to the burial pit to be thrown in while still alive.

what sort of hell I had entered. The rest of the day was spent just lying about outside, hoping that some food would turn up. But that first day nothing at all turned up.

"The next night in Belsen was worse, and the hut was more crowded than the previous night. By that time we had realized that, although there was a primitive sort of sanitation, the vast majority did not use it. I received food in the form of soup—about an inch and a half deep in an ordinary army tin, which I had to pick off a heap discarded close to the dead. When you went up with your little portion it looked more or less like a farmyard. I suppose you have all seen an ordinary hen with a worm and five or six chasing it. We were like that. We had to keep taking furtive looks behind us to see that no one was after our food.

"I did not see very much of the S.S., but on one occasion I did see an S.S. officer whipping some women in their compound near the burial pits because they had lit some fires to do some primitive cooking."

The witness said that the block leaders were particularly violent. There used to be soup sent to the huts at midday and distributed among the other officers, and also anyone who had a few cigarettes. The normal rate of exchange was three cigarettes for a small bowl. The S.S. did not make any attempt to control the block leaders.

"There was one event I remember," he went on, "seeing my first friend, not quite dead, being brought out of the hut in the morning and lined up with people actually dead, and later on, still alive, dragged to Hut 13, which was the mortuary. I should think that in the first four days I had altogether one pint of soup. On the fourth day water was turned on in the hut used as a mortuary, and after negotiating three or four corpses you could get more there. In spite of the warning of some of my friends that I would probably catch typhus there, I drank one mugful of water.

### DRAGGING CORPSES

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### OBJECTIONS TO TROOP DECK

FROM OUR SPECIAL CORRESPONDENT  
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*Coming  
events...*



## Imperial and Foreign SCENES WORTHY OF DANTE NIGHTMARE THAT WAS BELSEN

### JERSEY MAN'S STORY

From Our Special Correspondent

LÜNEBURG, SEPT. 20

This has been a terrible day at the Belsen trial. Horror after horror has been disclosed. First this morning all in the court room—the court, the prisoners, the Press, and German spectators—saw the films taken in the camp by the British Army Film Photographic Unit just after the British troops first entered it. Then followed evidence by the only Briton known to have survived imprisonment in the camp—a Jersey schoolmaster, Mr. Harold Osmand Le Druillenac, of St. Helier.

He is a dark-haired, youngish man, limping with the aid of a heavy stick. He told the court that with most of his family he was arrested at St. Helier on the day before D Day. For 18 months he had concealed a Russian officer prisoner, and in addition had a hidden radio. He was first sent to Wilhelmshaven, where he was made a welder in a naval arsenal, and then he went to Belsen with the rest of his *Arbeitskommando*. From the evidence in this trial and from other sources it appears that as the allied armies advanced into the Reich the Germans shipped off all foreign workers to the nearest concentration camp.

Mr. Le Druillenac gave his evidence in a matter of fact way. This was the first time Kramer and his associates had faced one of the survivors of their camp, but for the first hour or so the Jersey man did not even look at them. During intervals in the translation of his evidence into German and Polish he began looking at them with what seemed a puzzled air, as if trying to find a link between his dreadful experience and the three rows of men and women in the dock, as if trying to realize these were the people who had been rulers of the camp where he had seen his best friend, a French colonel, dragged off to the burial pit to be thrown in while still alive.

what sort of hell I had entered. The rest of the day was spent just lying about outside, hoping that some food would turn up. But that first day nothing at all turned up.

"The next night in Belsen was worse, and the hut was more crowded than the previous night. By that time we had realized that, although there was a primitive sort of sanitation, the vast majority did not use it. I received food in the form of soup—about an inch and a half deep in an ordinary army tin, which I had to pick off a heap discarded close to the dead. When you went up with your little portion it looked more or less like a farmyard. I suppose you have all seen an ordinary hen with a worm and five or six chasing it. We were like that. We had to keep taking furtive looks behind us to see that no one was after our food.

"I did not see very much of the S.S., but on one occasion I did see an S.S. officer whipping some women in their compound near the burial pits because they had lit some fires to do some primitive cooking."

The witness said that the block leaders were particularly violent. There used to be soup sent to the huts at midday and distributed among the other officers, and also anyone who had a few cigarettes. The normal rate of exchange was three cigarettes for a small bowl. The S.S. did not make any attempt to control the block leaders.

"There was one event I remember," he went on, "seeing my first friend, not quite dead, being brought out of the hut in the morning and lined up with people actually dead, and later on, still alive, dragged to Hut 13, which was the mortuary. I should think that in the first four days I had altogether one pint of soup. On the fourth day water was turned on in the hut used as a mortuary, and after negotiating three or four corpses you could get more there. In spite of the warning of some of my friends that I would probably catch typhus there, I drank one mugful of water.

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"Our first task in the morning was to bury the fresh dead that had been brought from the various huts in my quarter of the camp to the mortuary yard. Despite the fact that there must have been 2,000 of us, it used to take the whole morning to empty the yard. We then left the gate of the yard with the body dragging behind, usually allowing one or two metres (roughly one or two yards) between us—if you allowed more than that you were hit on the head—and dragged them to the pits. Along this road, stationed at intervals, were orderlies to see that the flow of dead to the pits was carried on smoothly. Particularly numerous were they near the kitchen and the reservoir of water nearby.

"One of the most cruel things about this particular work was the fact that we had to pass the water regularly, and despite the fact that we were dying of thirst we were not allowed to touch it. Nor were we allowed to get to the heap of swede peelings near the kitchens. A few of these would have made a very fine meal to us indeed. I found that the pits were being dug for themselves by so-called free workers—foreign workers. I cannot very well explain my feelings when I saw the pit, which already contained corpses, and had to show my particular corpse on top of the corpses already there.

"During the dragging of these dead to the pits I noticed on many occasions a strange wound on the thigh of the dead. First of all I dismissed it as a gunshot wound at close quarters. After seeing a few more I realized that that did not make sense, and asked a friend. He was surprised that I did not know, and promptly told me that many prisoners were cutting chunks out of the bodies to eat. On my very next visit to the mortuary I actually saw a prisoner take out a knife, cut a portion out of the leg of a dead body and put it in his mouth, apparently thinking he was not seen. I leave it to your imagination to realize to what state we prisoners were reduced, to chance eating those bits of flesh taken out of black corpses.

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This evening he met for the first time a number of officers of the allied command and allied newspaper. To-morrow he will be received and will leave again for his headquarters in the evening. His departure from the area has been fixed for and he expects to take up his duties some time early next year.

#### RESEARCH IN AIR

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He was speaking at an inspection Royal Tank Regiment, of which commandant, at the Kladon Barracks. A large number of senior officers came from all parts of the inspection.

Field-Marshal Montgomery a Royal Tank Regiment had already tank research, and must continue leading part in its organizational development.



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## A detailed illustration of a bottle of White Label Scotch Whisky. The bottle is dark with a prominent white label. The label features a royal coat of arms at the top, followed by the text "White Label" in a large, elegant font. Below this, it reads "SCOTCH WHISKY" and "AS SUPPLIED TO THE ROYAL NAVY". The bottom of the label identifies the producer as "James Dewar &amp; Sons, DISTILLERS, PERTH". The bottle neck is wrapped in a textured material, possibly foil or paper, with a small label at the top that says "JAMES DEWAR &amp; SONS, PERTH".

*It never varies!*

Maximum retail prices -  
25/9 per bottle -  
13/6 Half-bottle  
(fixed by the Scotch Whisky Association)



**Church's** shoes are made on famous

lasts, by men of traditional skill, in tune with the needs of modern comfort.

made by Church's of Northampton

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"Next morning we were roused about half-past three, and again the only language was the language of blows. After we had been out on the roll-call some time the next morning, the hut was cleared of debris and seven or eight dead were taken out and put in the trench running the length of the hut. There were rafters or joists in the hut. Boards were usually put across two rafters, and rather than sleep beneath on the murderous floor internees slept on these boards.

" Most of the people in the hut were suffering from dysentery, and as many of them were sleeping on the rafters I think I can leave the rest to your imagination. If the people below moved, they would not find a place again. After a little experience they learned that it was better not to move. We were not allowed out of the hut at night. It would have been humanly impossible to get out except by walking over the mass of humanity, and in any case the door was locked. The atmosphere inside the hut is rather difficult to put into words. It was vile. The smell was abominable. In fact, it was the worst feature of the camp. At night that hut was a thing that Dante might describe, but I certainly cannot put into words

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"We were not given any food or drink before the parade. The third day I had precisely nothing to eat. During the day we did nothing. Most of us went into the yards and slept, as was the custom in Belsen, in heaps. In the morning a French friend of mine came and asked if I had inspected the long, grey, brick-built hut. On my replying in the negative, he invited me to go and have a look through the holes where the windows had been. The first window showed only a washroom—a very crude place, with one or two dead bodies floating about on the flooded floor.

"The second window gave me a horrible shock. This room was absolutely filled with bodies. These dead were arranged with the crown of one's head touching the chin of the one just below him, and in that way I should think there were very many hundreds. It is difficult to mention how many. We then strolled down the path looking in each window and in each room of that hut the scene was precisely the same. I had had some experience in death before, both at Bremen and at Lunenburg, but this particular sight made me wonder.

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Field-Marshal Montgomery: Royal Tank Regiment had already tank research, and must continue leading part in its organic development.

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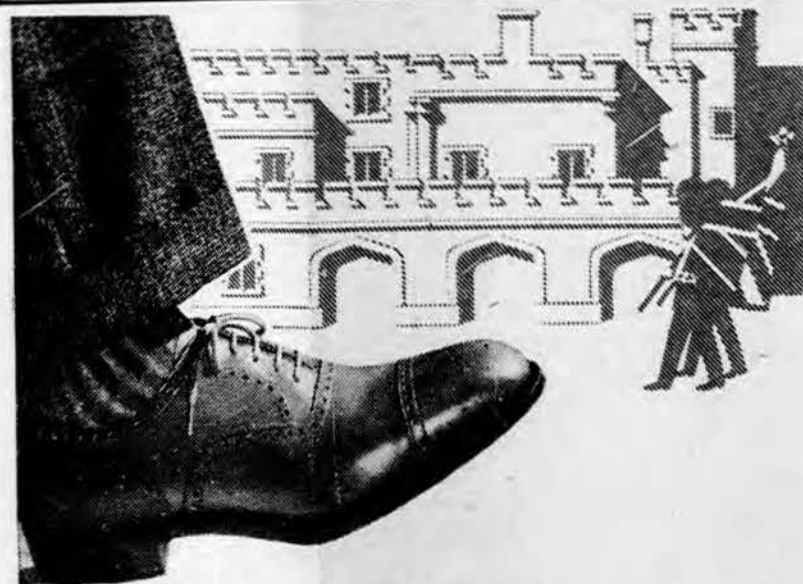
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## LONDON AND CARLISLE - ESTABLISHED 1848

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minutes later some severe blows on the head made us realize that we were not supposed to be there. We gathered from this language of blows that these beds were reserved for the officers and orderlies among the prisoners themselves.

"The colonel and I made a point of meeting some other French people and sitting wide apart in a group on the floor. Deep sleep was absolutely impossible. The whole hut I should describe as Babel gone mad. Actually it proved to be my luckiest night in Belsen, because the next night some more Commandos were sent in to sleep in the hut. The floor was wet and abominably foul, and we had to lie on it, but we were allowed two very humid blankets.

"Next morning we were roused about half-past three, and again the only language was the language of blows. After we had been out on the roll-call some time the next morning, the hut was cleared of debris and seven or eight dead were taken out and put in the trench running the length of the hut. There were rafters or joists in the hut. Boards were usually put across two rafters, and rather than sleep beneath on the murderous floor internees slept on these boards.

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